

THE  
ARGUMENTS  
OF  
*Monsieur Herard,*  
FOR  
Monsieur the Duke of *Mazarin,*  
AGAINST  
Madam the Dutcheſs of *Mazarin,*  
His SPOUSE.

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AND THE  
*F A C T U M*  
FOR  
Madam the Dutcheſs of *Mazarin,*  
AGAINST  
Monsieur the Duke of *Mazarin,*  
Her HUSBAND.

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By Monsieur de *St. Euremont.*

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T H E  
P R E F A C E

**T**HE Reader may perhaps wonder, why at this time of day he is troubled with the Particulars of a Contest, which by its standing may reasonably have been long since superannuated and forgotten. But, besides that those that retail Ink have usually a different Opinion of their own Performances from

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the rest of the World, and consequently Reasons to themselves, that 'twou'd be hard to convince others of, I was induc'd by two Considerations to make this Piece free of our Tongue. One is, that 'tis the only publick Specimen of the manner of Pleading in *France*, and perhaps the completest, that cou'd have been procur'd of their Bar Eloquence, which it may be worth while to compare with our own, which is not so easily to be done in different Languages: The other is, that it contains a Defence of the Dutcheß of *Mazarin*, written

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ten by Monsieur St. *Evre-*  
*mont*, whose Works need no  
other Character, or Recom-  
mendation than his Name. I  
thought it pity, that any  
thing of his shou'd be denied  
to the *English* Reader, at a  
time, when all the rest of his  
Works are Reprinting in *En-*  
*glish*, with large Additions,  
never before Publish'd in any  
Language. I cou'd not doubt  
the Welcome, that the Pro-  
ductions of his Pen wou'd  
find from those, that gave all  
his former Pieces so just, and  
so kind a Reception.

A more particular Account  
perhaps may be expected of

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### *The Preface.*

Monfieur *Herard*, whose Pleadings make up the greateſt part of this Book ; but, beſides that I know nothing of him more than I can collect from his own Pleadings, 'tis ſufficient for the Reader to know, that he was an Advocate retain'd by the Duke, and had no other Intereſt in the Cauſe, than his Fees, or his Reputation as a Pleader at moſt. Nor will the Violence of his Declamation, his hard Inſinuations, and groſs Reflections upon the Dutcheſs ſurprize thoſe that are acquainted with the Practice of the Bar ; they know, that all this buſtle is  
not

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not for nothing, and that Gold will purchase a Wind there, surer than in *Lapland*.

As for his Performance, scarce any thing of Antiquity is more Artificial ; his Charge is amplified, and exaggerated with the Vehemence and Boldness of *Demosthenes*, and his Suggestions insinuated with the Art, and Address of *Tully*. I don't pretend to equal him to either of those matchless Orators, whom he may be allow'd to fall very far short of in their several ways, and yet excell ; but I may venture to say,

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that he has not unsuccessfully  
Copyed the Manner, and  
Graces of 'em both, at least  
as far as the Modern way  
of Pleading, and the Genius  
of the *French* Nation and  
Language, will permit.

I shall not here attempt  
to forestall the Satisfaction of  
the Reader, by entring into  
a Comparison between the  
*French*, and *English* Barr. I  
shall leave that to himself,  
who ought to have the Li-  
berty of judging for himself,  
in order to which I lay be-  
fore him the means. I shall  
only take the Liberty to ob-  
serve one thing to him, which  
will,

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will, if We shall be found to come tolerably near 'em, turn the Scale very much on our side ; that is, that all their Pleadings, as appears by these, were studied, labour'd Discourses, compil'd at Leisure, and spoken without Interruption ; which must needs give 'em a vast Advantage, both in the Composing and Delivery, against our Lawyers, who perhaps Read their Brief over the first time at the Bar, and Argue the Case *Ex tempore*. This Method, tho' it may spoil the Eloquence of our Pleadings, prevents the puzzling of the Cause by the  
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Intricacy, which the false Colours of a studied Harangue might Introduce.

One thing more I ought to take notice of, which may seem to require an Apology, which is, that I shou'd by this Version promote the spreading of these Pleadings, which are in a manner so many Libels, not only upon Madam *Mazarin*, but upon our King, and Nation.

I might indeed have left out those rude, unmannerly Passages relating to our King, and Country ; but, besides that as a Translator I cou'd not justifie such a Liberty, I  
cou'd



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cou'd not discover any Reason so to do. For when we consider out of what Mouth these Opprobrious Speeches come, a Mercenary *French* Advocate's, a profess'd Enemy of our Religion, and Nation in general, and our King in particular, with whom his Master was then at War, and who alone gave a Check to his Ambition; while they had amongst 'em another Prince, whose Pretensions upon our Crown, they us'd their utmost Endeavours by Arms to enforce upon us: What he has said, no more affects the King, or Nation, than

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than the Yelping of senseless Currs does the Moon, or the old Womans tit for tat, the Thunder, which she farted against. But for another reason those Passages could not be omitted, because they shew the true Spirit and Genius of the Advocate, and in some Measure of the whole *French* Nation, or at least of the Court, when such things come seriously to be pleaded before a solemn Bench of Justice, and obtain the King's Priviledge to be Printed.

Neither could they have been left out without injuring Madam *Mazarin*, since  
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*The Preface.*

by such an Omission, I shou'd have Represented the Duke's Advocate as a Man of more Candour than he is, and thereby perhaps have added weight to his False, and Injurious Insinuations concerning her.

As for the rest of his Harangues, I think it no way to the Dutcheesses's Disadvantage, that they shou'd be seen to all the World. For notwithstanding all the Art, that is us'd to conceal it, the Poyson is too apparent for the Dose to go down; or if any incautious Person shou'd swallow it, the Antidote is  
ready

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ready at hand to expell it: One Advantage the Dutchess gains by these Declamations against her, which is, that the Truth of her Memoirs is incontestably establish'd. For they have not contradicted 'em in one material point of Fact, except in the Story of the Bishop of Frejus, which the Duke purges himself of, as well as he can, by a simple Negation. All that his Advocate insists upon is, that the Duke has not used her ill enough to warrant a Separation according to form of Law. Now he will allow  
nothing

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nothing to be a justifiable Cause of Separation, but Cruelty; by which he means downright breaking her Bones. As if causeless Jealousie, and Confinement, studied Affronts, Vexations, Frights, and Fatigues, were not Cruelty enough to a Lady of her Quality, and Fortune, that brought him 1625000*l.* Sterling, and made him the richest Subject in *Europe*. His Advocate is pleas'd to dignifie his Spleen, and Enthusiasm with the Name of Devotion, which never suffer'd him to put a value upon any thing, that deserv'd it; and

confe-

*The Preface.*

consequently drove from him,  
that Treasure of Beauty, and  
Wit, which all *Europe* knew  
how to Esteem, but the stu-  
pid Possessor.

But I shall not attempt  
to prepossess the Reader; let  
him hear both sides, and  
judge amiss if he can.

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THE

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THE  
*Duke and Dutcheſs*  
OF  
Mazarin's CASE.

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The ARGUMENT

For MONSIEUR, the } Plaintiff.  
*Duke of Mazarin,* }

Against MADAM, the } Defendant.  
*Dutcheſs of Maza-* }  
*rin, his Spouſe,* }

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THE CASE.

**M**Adam, the Dutcheſs of Mazarin made  
an Elopement from the Houſe of her  
Husband, and has left the Kingdom ever  
ſince the Tear, 1667.

After having been in divers Countries,  
ſhe ſetled at London, under the Pretence of  
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## The Duke and Dutcheſs

*the Honour which ſhe had to be related to the Queen of England. But their Britannick Majeſties being obliged by the Revolt of their People to quit England, and retire into France, Monſieur the Duke of Mazarin ſolicited his Wife to return into the Kingdom, and to his Houſe, offering to receive her, and forget all that was paſt.*

*She obſtinately refus'd : Whereupon he preſented a Petition, and cauſed it to be Argued before the Great Council, till an Order was obtain'd, That during the unjuſt Elopement of the Dutcheſs, and her obſtinacy in abſenting her Self from her Houſe, and from the Kingdom, ſhe ſhou'd be depriv'd and diveſted of her Dower, and Right of Alimony.*

*To theſe Concluſions, at the beginning of the Cauſe, it was added,*

*That it ſhou'd be at the Diſcretion of the Council, to allot her a certain time to return into France, and to her Husband's Houſe ; after which ſhe ſhou'd incur the Penalty of this Sentence without further delay, or Judgment to be given.*

*He demanded further,*

*That it might be lawful for him to ſeize her wherever he cou'd find her, and to cauſe her to be conducted to his own Houſe.*

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THE  
ARGUMENT  
OF  
*Monsieur* HERARD.

GENTLEMEN,

**A**FTER the Information you have receiv'd from the Mouth of the Publick, of the Causes of Complaint given by *Madam Mazarin*, to *Monsieur* the Duke of *Mazarin*, for two and twenty years past, of her Elopement out of the Kingdom, and her long Absence, of which I shall open the Circumstances; I doubt not but you will be equally amaz'd at the Indulgence of *Monsieur Mazarin*, who endeavours to recover a Wife by whom he has been so unworthily treated; and at the obstinacy of *Madam Mazarin*, who refuses the Grace offer'd by her Husband, and makes more

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difficulty of forgetting the Injuries ſhe has done him, then he of forgiving 'em.

How many Husbands wou'd have had ſo much Tenderneſs for a Wife, that had ſo far provok'd 'em? How many wou'd have ſhut their Gates againſt her, and, being in the Flower of their Years, depriv'd of the Sweets of Conjugal Society by her Caprice, wou'd at leaſt have given themſelves the Liberties and Diverſions of a ſingle Life, at an Age when they were moſt agreeable?

On the contrary, How many Wives are there, who after having ſo highly offended their Husbands, from whom they had receiv'd nothing but Honourable Treatment, wou'd earneſtly wiſh 'em ſo well dispos'd to accord 'em a Title they ſo little deſerv'd, and allow 'em the benefit of a Sacrament, the Conditions of which they had ſo ill obſerv'd? How happy wou'd many think themſelves, to find after ſo many Rambles, ſo many ſuſpected courſes in the Houſes of their Husbands, an honourable Retreat, a ſafe Harbour from the Scandal of their paſt Lives?

I doubt not, GENTLEMEN, but this wou'd be the very Senſe of Madam

*Mat. a-*

of Mazarin's Case.

*Mazarin* her self, nor but that she could easily resume that Esteem and Affection which she formerly had for Monsieur *Mazarin*, if she listen'd to her own Reason and Interest, rather than the malicious Advice of one of her Family, whose hatred Monsieur *Mazarin* has the misfortune to lye under, without having drawn it upon himself.

These are not the first Tracks of this Enemy of his Repose, which he has discover'd. You see, GENTLEMEN, by the Pieces which I have communicated to you, that by this dangerous Relation, Madam *Mazarin* was instigated to revolt, and favour'd in her Escape; and 'tis but too apparent, that 'tis he that still keeps up in her this humour of Separation, and hinders her from taking the Advantage of the good Disposition of my Client, to a Reconciliation.

Monsieur *Mazarin* therefore does not impute so much to Madam his Wife the Injuries she has done him, her Coldness, and her apparent Slights, as to those, that have infus'd this Humour into her; And this consideration alone has induc'd him so easily to pardon her without requiring any other Satisfaction than that

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she wou'd return home, and mend her Conduct.

He avows likewise, that while she offer'd him the most cruel Outrages, he always took pains to justify her to himself; and that he has ever preserv'd a tenderness for her, that has baffled all her violent efforts to tear it from him: Judge therefore, GENTLEMEN, how dear she must needs be to him, wou'd she but return to her Duty, and resume the Place due to her in his House, and which is the only one that she can fill with Honour.

But, since she is deaf to the Voice of her Husband, since thro' ill Advice she is obstinate in her denial of what is due to him, and to her self, he is oblig'd to have recourse to you, GENTLEMEN, who know her true Interest better than her self, that your Prudence may supply the deficiency of hers; that thro' the fear of those Pains, which she has made her self obnoxious to, she may be compell'd to accept those Advantages which are offer'd her; and that you may, by a Law, oblige her to that which wou'd be her sole desire, if she knew her own Interest.

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He desires you to re-establish betwixt his Wife, and him, that Commerce, which is the Principal End, and makes all the Happiness of Marriage; that you wou'd knit again those Sacred Knots; that you wou'd reunite two parts of the same Body which have been long since disjoyn'd, and can find no true repose, but in their Coalition.

As this Cause is altogether serious, and of the highest Importance, not only to Monsieur *Mazarin*, but to the Honour of the Publick, I shall handle it with that Sobriety, that it requires; and to conform to the humour of Monsieur *Mazarin* I shall decline, as much as possible, the saying any thing that may offend Madam *Mazarin*, or occasion the Publick to make any Reflections to the Prejudice of her Vertue.

Monsieur the Cardinal of *Mazarin*, that Minister so enlighten'd, and so powerful in Wealth, and Authority, apprehending the approach of his End, was solicitous to find a Man, whom he might make Heir of his mighty Estate, and Name, one that might worthily support the glory of the latter.

For this purpose he cast his Eyes upon the Lords of the Court of the greatest

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Merit and Quality, for he might choose whom he pleas'd; there not being one, who wou'd not have been extreamly proud to have been his Choice. After having well consider'd 'em all, he pitch'd upon Monsieur *de la Meilleraye*, and offer'd him Mademoiselle *Hortensia de Mancini* his Niece in Marriage, with a great part of his Wealth, and the hopes of succeeding him.

This Minister, who wanted no Penetration, must needs have beheld him with other Eyes, than those which Madam *Mazarin* (or rather those that possess her) wou'd have us look upon him with. The Judgment of so great a Man is a sufficient Apology for my Client, a Testimony of Proof against all the Calumnies that this Cabal have spread in the World upon him, and which have been receiv'd in it, only through a malicious Pleasure, that the common People take in hearing Scandal, and Raillery, especially when it falls upon People that have the Reputation of Piety, and a more regular Life than other Men.

Monsieur the Cardinal inserted one Article extraordinary into the Marriage Settlement; he does not give immediately to his Niece alone the Estate, which  
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he settles upon the future Couple, but he gives 'em jointly to Monsieur, and Madam *Mazarin*; and to strengthen his Gift, he in that very Clause of Gift expresses two Motives, one relating to Monsieur the Duke of *Mazarin*, the other to his Niece. *And in Consideration*, says that Clause, *of the choice he has made of the aforesaid Lord, her Husband, that is to be, to bear his Name, and Arms, and to testifie his Affection to the said Lady his Niece, and in favour of the present Marriage, he gives to the said Lord and Lady, future Spouses, &c.* These are the expresse terms of the Clause.

This, GENTLEMEN, ought not to be look'd upon as a mark only of the particular Esteem, that the Cardinal had for Monsieur *Mazarin*, but as a means also to bind Madam his Niece more firmly to the Husband, which he had chosen for her, and to oblige her to a greater dependance upon him, as well knowing the inconstant humour of the Lady.

In one point he has given Monsieur *Mazarin* an advantage above her. For having settled the Reversion of his Estate by a perpetual Entail, which equally took away from either of 'em, the Power of alienating it; He orders that in

case

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caſe *Monſieur de Mazarin* ſhou'd ſurvive her, he ſhou'd enjoy the whole, altho' he ſhou'd Marry again; but on the contrary, if ſhe ſurviv'd him, ſhe was to enjoy but to the value of  $\$600000$  Livres.

*Monſieur the Cardinal* was ſo ſatiſfied with his Choice; and the Conduct of *Monſieur the Duke* after Marriage, ſo ſtrongly confirmed him in the great Eſteem he had for him, that he gave him freſh Marks of it in his Will. He made him joint Executor with his Dutcheſs of his whole Will, and therein repeated again the former Condition: *That in caſe Madam Mazarin died before her Husband; he ſhou'd remain in Poſſeſſion of the whole Eſtate; but ſhe being the Survivor, ſhou'd enjoy the Intereſt only of ſix hundred thouſand Livres; to which ſhe had by the Marriage Settlement been reduc'd, without being capable of receiving any manner of addition, or augmentation to this allowance by the general Legacies.*

*Monſieur and Madam Mazarin* liv'd together in perfect good underſtanding, and taſted all the Felicity of a happy Match for near ſeven years. They had ſeveral Children, the birth of which ought to have



have united 'em more strictly, especially since the extraordinary Gifts, and Graces of these Children were manifest Arguments of the peculiar Blessing of Heaven upon their Match.

But after seven happy years of Peace, the Poyson of Discord crept in betwixt 'em upon this occasion.

Monfieur *Mazarin* had the misfortune to fall under the displeasure of Monfieur the Duke of *Nevers*, without having ever offended him. Whether this Aversion were the effect of any natural Antipathy, or whether it arose from the despatch conceiv'd by Monfieur *de Nevers*, at seeing a Stranger share with him the Spoils of his Uncle, and to see him even preferr'd to himself in his last Will, and chosen by Monfieur the Cardinal for the chief support of his Name and Family.

Monfieur *Mazarin* has always look'd upon Monfieur the Duke of *Nevers*, as the main Instrument of the Separation of Madam *Mazarin* from him; he is persuaded, that 'twas he, who urg'd by his hatred, and perhaps by some motive of Interest, and the hopes of being their Heir, which he was appointed to be, in case Monfieur and Madam *Mazarin* had died without Issue, had chang'd the

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Affections of his Wife, and infus'd that Contempt into her, which has ſince been ſo notoriously apparent. And *Monſieur Mazarin* has been farther confirm'd in this Opinion by the hand which *Monſieur de Nevers* had in the carrying off *Madam Mazarin*, by all the Meaſures he has taken ſince, and by his preſent Conduct.

The firſt and main aim of *Madam Mazarin* ſince ſhe gave her ſelf up to be ſeduc'd, has been always to withdraw from the Preſence, and dependance of her Husband. She cou'd have wiſh'd, that either by ſome Violence, or Menaces, he wou'd have given her a Pretext to ſue for a Divorce. But the mildneſs of *Monſieur Mazarin*, and the reſpect he always paid her, not only out of Affection to her Perſon, but alſo out of a regard which he will ever have to the Memory of his Benefactor, having taken away all colour for ſuch an Action, ſhe contented her ſelf to form in the Year 1666, a demand for a Division of Effects.

Not that ſhe had any hopes of ſucceeding in her Suit: The regular Oeconomy of *Monſieur de Mazarin*, the Moderation he always obſerv'd in his Expences, and the vaſt Eſtate he was then poſſeſs'd of, cover'd

cover'd him sufficiently against such Attempts. The sole design of Madam *Mazarin* was to furnish her self with a Pretence to abandon her Husband's House, while the Suit was depending.

This succeeding for a while, she retir'd to the Nunnery of St. *Mary* ; but the Religious being soon weary of her Conduct, in a few Months she took a progress thro' three Convents more, which edified as little by her, as the former.

In short, GENTLEMEN, her Relations being at a loss where to lodge her any longer, propos'd an Accommodation; and caus'd both Parties to sign a mutual Obligation, wherein 'twas agreed, that Madam *Mazarin* shou'd return to the Palace of *Mazarin*; but that during the Process, she shou'd be lodg'd in a separate Apartment.

The first Exploit she did, was to open a Passage thro' the Wall, between *Nevers* House, and her Apartment, thro' which she went and came at all hours of the Day, or Night, without passing thro' the Palace of *Mazarin*.

But this was not all; for thro' this Breach she convey'd away all the Plate, and richest Furniture of her Apartment, which

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which amounted to an immense Value.

At the Expiration of the Term of the mutual Obligation, when the Cause of Separation was ready to be heard, ſhe truly foreſaw that 'twas impoſſible it ſhou'd go for her. *Monſieur Mazarin* was too far off (what is call'd) *Vergere ad inopiam, falling into want*, which is the Caſe, in which the Law allows a Partition of Effects. Matters ſtanding thus, ſhe had recourſe to her laſt Stratagem.

'Tis with Grief that *Monſieur Mazarin* is oblig'd to revive this unhappy Story; but ſince the abſence of *Madam Mazarin*, which is the Subject of our Complaint, is the conſequence of her being carried away, it makes a neceſſary part of the matter before you, and may be of great weight in the Deciſion of it. Beſides, this Story is already ſo publick, that the recital which I ſhall make will contain nothing new, to the greateſt part of the Audience here preſent.

*Madam de Mazarin* in the Habit of a Man, attended by one only of her Women in the ſame Dreſs, came thro' the Communication aforeſaid, into *Nevers* Houſe, where *Monſieur* the Duke of *Nevers* her Brother, who waited her coming,

coming, took her into his Coach, and conducted her to a Stage before appointed by him, where he left her under the Guard and Conduct of some of his Domesticks, and those of another Person of the first Quality, who died some years since of the most Tragical Death in the World, whose Name the Council will, I hope, give me leave to pass over in silence.

The Captains of her Convoy, and Principal Conductors, were a *Valet de Chambre*, and one of Monsieur de Nevers's Gentlemen, one nam'd *Narcissus*, and t'other *Parmillac*.

The Duke of *Nevers* had taken care to have fresh Horses laid all along the Road, that she might leave the Kingdom with more Expedition.

This Escape was made on the 13<sup>th</sup>. or 14<sup>th</sup>. of *June*, in the Night, in the Year 1667. All the next day, her Women pretended, that she was indispos'd, and at rest, and suffer'd no body to come into her Apartment, so that Monsieur de *Mazarin* was not inform'd of her flight till the Night following.

Never was Anguish comparable to that of Monsieur *Mazarin*; he procur'd the King's Orders to all the Governors,

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to ſtop her paſſing the Frontiers, and cauſ'd her to be purſu'd with all the diligence imaginable. But ſhe having the ſtart by four and twenty hours, and travelling exceeding ſwift, render'd all the Care and Diligence of Monſieur her Husband, ineffectual.

Monſieur *de Mazarin* brought an Information for a Rape againſt all the Accomplices: And here I muſt intreat you, GENTLEMEN, to take notice, what Reſpect and Honour he ſhews for Madam *Mazarin*, in not ſuffering any Information to be brought, or any Decree to be given directly againſt her; he deſir'd no more in relation to her, than liberty to recover her, which was granted.

By theſe Informations it was fully prov'd, that Monſieur the Duke of *Nevers* was aſſiſtant in this Rape. I am ſorry, upon the account of the Reſpect I have, not only for his great Quality, but for his Perſonal Worth, that I am forc'd to rake into theſe matters; but they are of too great importance to my Cauſe, to be paſſ'd over in ſilence.

Warrants were iſſued out againſt his Domeſticks, and Perſonal Proceſs decreed againſt himſelf, and the other Perſon of Quality: A Contempt was pre-  
par'd,

par'd, and ready to be adjudg'd, when Monsieur *de Nevers* presented himself to Examination. All these Proceedings are yet in the hands of the King's Council.

Monsieur *de Mazarin* perceiving, that these Processes were not likely to regain Madam *de Mazarin*, which was all that he aim'd at, and upon which account only he began 'em; but that on the contrary, the continuance of 'em did but exasperate the adverse Party, and render 'em more indispos'd for a Reconciliation; let drop his Suit, and left the accus'd in quiet.

I shall not amuse my self about a Relation of the several Voyages that Madam *Mazarin* has made, the different Climates she has visited, nor the Adventures she has met with; such a recital wou'd neither be for her Honour, nor his Satisfaction. And so far is he from entertaining the Publick with any such things, that he uses his utmost Endeavour to conceal 'em from himself, and to raze 'em from his Memory; which the Presence and sincere re-union of Madam wou'd entirely effect.

'Tis sufficient to inform you, that she went first for *Italy*, from whence she return'd

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turn'd privately to *France*, and lay some time conceal'd; that her next remove was into *Savoy*, and thence after some Months into the Dominions of the King of *Spain*; and that at last she retir'd into *England*, where she has made her longest abode.

For the two first years, Monsieur *Mazarin*, who still hop'd for her Conversion, return'd considerable Summs to her, besides what she carried away with her.

But at length touch'd to the quick at her obstinate refusal to return, but more at the ill Reports, which she had occasion'd of her self, which yet he was so wise, and so happy, as not to believe; and knowing the King of *England* gave her a yearly Pension of 58000 Livers, in Consideration of the Summ of 300000 Crowns, which he ow'd to Monsieur *Mazarin*, he put a stop to his returns.

The King of *England* dying, and his Brother the Duke of *Tork* ascending the Throne, he had the Bounty to continue her Pension to Madam *Mazarin*, upon the account of the honour she had to be related to the Queen his Consort.

While



While the King and Queen of *England* remained in peaceable Possession of their Realms, and had their Court at *London*, and by their Presence, their Zeal for the true Religion, and their Pious Declaration restor'd the free Exercise of that Religion; Monsieur, the Duke of *Mazarin* contented himself in secret to bewail the scorn, and hardness of his Wife's Heart.

He suspended his Right, and moderated his Resentments, out of Respect to the Protection which their Majesties afforded Madam *Mazarin*, and out of that Veneration which he testified for their Sacred Persons; to be near which, even Strangers born in the remotest Climates might be drawn and retained by a pure Admiration of their Heroick Vertues: And tho' he knew that her Presence was in no wise necessarily conducing to the re-establishment of Religion at *London*; that her way of living there was not likely to give the Catholicks much Reputation of Sanctity; that she observ'd but ill the wise Advice the King and Queen honour'd her with; and that she consider'd less their Persons, than the uncontroul'd Liberry and Pleasure she enjoy'd in their Country: Yet he was willing to

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be cheated by a Pretence ſo ſpecious, and that bore ſo honourable an Appearance.

But the Revolution which fell out in *England* a year ago, has taken away that falſe pretence; and not only depriv'd her of all excuſe for any longer ſtay in *London*, but it has laid freſh Obligations upon her to return into *France*, beſides thoſe of her particular Circumſtances.

Matters are come to that paſs in *England*, that 'tis no longer lawful for a Catholick, a *French* Man, nor ſcarce for an honeſt Man to ſtay in *London*; much leſs for a Perſon loaded with the Favours of the King and Queen, and one that has the honour to be allied to 'em. The ſtay which ſhe has made there ſince that time, (and which 'tis evident ſhe deſigns to make there all the reſt of her Life, if you, GENTLEMEN, don't compell her to leave it,) has pluck'd off the Mask, and diſcover'd the real Motives that drew her to, and keep her ſtill at *London*; and at the ſame time ſhews how little worthy ſhe was of the Protection the King and Queen honour'd her with.

If she had any Affection for their Persons, any Gratitude for their Bounties, or indeed but a bare Sense of Honour or Religion, she ought to have follow'd 'em. Cou'd she see, without horror, the Usurper of their Kingdoms, and the Enemy of our Faith, establish his Dominion upon the Wrack of their Legitimate Throne, and the ruine of the true Religion? And so far from seeking (as she did) Grace in his Eyes, to obtain his leave to stay in a Place which she ought to fly; or from labouring to be excepted from that general Law which banish'd all Catholicks, ought she not to have prevented it by a voluntary departure?

Let her not pretend her Debts were any impediment; I shall shew in due Place, the fallacy of that Excuse; as likewise of those pretended Debts themselves. Let her tell us nevertheless, who hinder'd her from going, when so many *English-born* Catholicks left their Country, and sought Refuge in *France*; the greatest part of whom must needs have Debts more considerable than hers?

With what Face can we be told that she had not Liberty to go, when she scarce had leave to stay? Have not we

here, and all the World, heard of it ? And was ſhe not inform'd by the Votes, and Gazetteſ of *England*, of the Efforts of the Convention to drive her thence, and their Addreſſes to the Prince of *Orange*, that he wou'd order her to be gone ?

Did they lay any condition upon her ? Did they order her to be detain'd till ſhe had paid her Debts ? No, they deſir'd of her only, the favour to be gone : Madam *Mazarin* was forc'd to call to her Aſſiſtance, the Power of the Prince of *Orange*, and procure Licence from Authority to ſtay.

What an Indignity is it for Madam *Mazarin* to prefer a Country that labours to be rid of her, before the Houſe of a Husband that longs for her : *England* in Flames, the Theatre of Rebellion and Herieſie, before *France* Peaceable, Flouriſhing, and Catholick : The Court of an Uſurper, before that of the greateſt, and juſteſt Prince in the World ; and that for this ſhe ſhou'd implore an Authority, which ſhe ought to have in abhorrence ; that ſhe ſhou'd ſeek ſupport from him, that came unjuſtly to dethrone her Benefactors ?

With

With a becoming assurance we must needs be told after this, of the unseparableness of Madam *Mazarin* from the Queen her Relation and Protectress, and that made the reason of her almost twenty years residence in *England*.

Monfieur *Mazarin*, after having given Madam his Dutcheſs time ſufficient, ſince the revolt of that People, to return into *France*, ſeeing her reſolute to continue in *London*, againſt all thoſe reaſons that require her return; and being mov'd at the Peril to which her ſtay in *England* expoſes both her Perſon and Religion, as ſhe her ſelf ſays in her defence, has at length reſolv'd to try by your Authority, to effect that, which the Inſtances of the Convention of *England* cou'd not.

He has preſented his Petition to the Council, to declare her depriv'd of her Settlement during her unjuſt Retreat, and her obſtinate Abſence from him, and from the Kingdom. But that you may ſee his deſign is not to gain her Eſtate, but her Perſon, he at the ſame time preſents another Petition for leave to ſeize her, wherever he can find her, and to convey her to his own Houſe. And, I know his Mind ſo well, that I venture to add, without fear of having it diſa-

vow'd by him, That altho' Madam *Mazarin* has ſufficiently incur'd the Penalty of Privation of her Settlement by her Flight, and by her Contempt, Monsieur *Mazarin* wou'd be highly ſatisfied that ſhe ſhou'd avoid it by an immediate return to him, or within ſuch limited time as you ſhall preſcribe: But on this expreſs condition, That on her default of returning within the time by you appointed, ſhe ſhall by Virtue of your Sentence, without occaſion for any other, remain div'eſted and depriv'd of her Dower, and Settlements.

This, GENTLEMEN, is our demand, of which I ſhall lay you down the means; after which it will not be difficult to overthrow thoſe incidentally form'd by Madam *Mazarin*.

*The End of the Firſt Hearing.*

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T H E

# Second Hearing

O F

*Monsieur* HERARD.

GENTLEMEN,

**H**AVING laid the whole matter of Fact before you at the last Hearing, it remains that I now settle the means of my demand ; and, since Master *Sachot* urges me to insist upon the rigour of my Petition, and will allow no Moderation, I shall endeavour to satisfy him, and shew you just cause to declare Madam *Mazarin* depriv'd of Dower, and Alimony ; and that her past Conduct does but too well justify such Deprivation.

In order to which, I hope to prove, that 'tis the usual Correction given to Wives, that abandon their Husbands without lawful Cause, and break that  
indif-

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indiffoluble Society out of Levity: That this Punishment is adjudged by the *Roman* Law, which is conformable to the Intentions of the Laws of *France*, and Authoriz'd by the Practice of all the Courts.

There are two Cases wherein the *Roman* Law deprives a Wife, that divorces her self from her Husband, of Dower and Alimony.

The first is, when she withdraws, and divorces her self from her Husband without just cause.

The other is, when a Wife by her ill Conduct gives her Husband just cause to divorce himself from her. The Emperor in the 22<sup>d</sup>, and the 117<sup>th</sup> Novels, explains what those just causes are; *Si Mulierem adulteram inveniat* (this, Heaven be prais'd, is none of our case) But he immediately subjoyns, *aut Viro nesciente, vel etiam prohibente, gaudentem conviviiis aliorum virorum nihil sibi competentium; vel etiam invito viro citra rationabilem causam foris pernoctantem, nisi forsan apud proprios parentes.* I am very well aware that this does not extend to Wives, who may accidentally eat with other Men, or lie a few Nights out of their own Houses, but



but to those only that make a common Practice of it.

In either of these cases the Law determines, That the Restitution of her Portion, and all Advantages that she may claim by virtue of her Marriage, shall be denied to her: The reason why the Law in this case submits her to the same Penalty with an Adulteress is, because if these disorders be not a demonstrative proof of her being debauch'd, they amount to a violent suspicion at least; and for the satisfaction of a Husband, 'tis not enough that his Wife be free from the Guilt, unless she behave her self so as to keep clear of the Scandal.

*Tali aliquo facto, dat lex hæc licentiam viro abjicere mulierem, si vel harum unam, vel solam probaverit causam, & lucrari quidem dotem, antenuptialem vero habere donationem.*

Cujacius upon one of these Novels uses these Expressions: *Pena dissidii sunt; mulier, quæ absque probabili causa discedit a marito, vel quæ discedendi causam marito præbet, dotem amittit, & lucra nuptialia.*

I suppose, GENTLEMEN, That'twill not be alledg'd, that our Wives are not oblig'd to have the same respect for and dependance upon their Husbands, or so much

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much regularity in their Conduct as the *Roman Ladies*. They have, I confeſs, in *France*, ſomewhat more of that honeſt Liberty, which offends not againſt Modeſty ; we are not ſo ſevere as that People, in matters ſimply Innocent. But we diſpenſe no more than they with the eſſential Obligations of Marriage, nor connive at what may give juſt ground to ſuſpect 'em of a Crime, which is ſo ſollicitouſly conceal'd, and of which we can judge only by appearances. To grant that, were to wrong the purity of the Age we live in.

It was objected to me at *Parquet*, that theſe Penalties were eſtabliſh'd by the *Roman Law*, only in caſe of a legal Divorce, which the Law of thoſe times allow'd, which imply'd a total Diſſolution of the Marriage ; and that ſuch Divorces being no longer allow'd, the Penalties inflicted on the Woman that gave occaſion for, or practis'd it, cou'd no longer be retain'd in uſe.

But on the contrary, I maintain, That if they puniſh'd Violations of the Rights of Matrimony in ſuch a manner, at a time when they were not ſufficiently acquainted with the dignity of it, when they ſcarce look'd upon it as more than a  
civil

civil Contract; they ought to be more severely chastised now, when the dignity of the Sacrament is better known, and its Rights are become more sacred. I maintain, that if a Wife shall abandon her Husband, or fall into those disorders mention'd in these Laws, since she can no longer be punish'd by Repudiation, which was but one of the Penalties which by those Laws she incurr'd, she ought at least to suffer all the other which they annex to it.

Otherwise we must avow that the *Roman* Laws have too severely provided to vindicate the Honour of Husbands, and Matrimony, or ours not enough. The former gave the injur'd Husband double Vengeance, and double Consolation, the one in ridding him of a disorderly Wife, the other in giving him her Portion; so that at the very same time she injur'd him by a causeless desertion, she repair'd it by leaving him his Liberty, and her own Fortune.

Will they pretend, that we by raising the Value, have impair'd the Obligation of Matrimony, and the right of Husbands? Will they say, that because a Wife is more straitly, and inseparably bound to her Husband, that therefore she  
may

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may with impunity abuse him, fail of her Duty, and commit without fear all those Enormities which these Laws punish'd with Repudiation, and loss of Dower? Were not this to judge very hardly of our Policy, and cou'd there be any thing more dangerous than such an Impunity?

GENTLEMEN, Let us apply these Maxims to the case before us; Madam *Mazarin* is a delinquent both those ways; which demand a Privation of Dower.

First, She has given, and still continues to give Monsieur *Mazarin* such cause of Complaint, as wou'd heretofore have empower'd a Husband to turn off the Wife, and keep the Portion. *Mulierem, viro prohibente, gaudentem conviviiis aliorum virorum nihil sibi competentium*, Is not this Madam *Mazarin*? *Virorum nihil sibi competentium*, Those Gamesters by Profession, those *Milords* who eat constantly, and pass whole days, and part of their Nights with her. Is this fit Company for her? Is there any sort of Men, with whom she ought to hold less Correspondence?

*Vel etiam invito viro foris pernoctantem.* Madam *Mazarin* has not only spent Days and Nights so, but Weeks; Months;

Months, and Years. Monsieur *Mazarin* therefore, according to these antient Laws, has a right to put away his Wife, and detain her Fortune. But since our Religion permits not the former, the Law is for that reason the more necessarily bound to relieve him otherwise, and to preserve to him the other mean to compell his Wife to return to her Duty, or to punish her Disobedience.

*Secondly*, Madam *Mazarin* is guilty of the other Fault, which these Laws punish likewise with loss of Dower; she has, as far as in her lay, causelessly divorc'd her self from the Duke. She has not, I must confess, made a true divorce, taking the word in its strictest Signification, for a *nullity* of Marriage, because the Law has put that out of her Power; but she has made a divorce in Fact, much worse than the other; because being his Wife, she lives as if she were not so; and robs him of the Pleasure of Conjugal Society, without easing him of the Bondage of Matrimony.

But if you please, GENTLEMEN, to reflect upon the Circumstances of this Absence, this Divorce, you will find that all Circumstances concur to aggravate

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vate it extreemly, and call for the utmoſt ſeverity of the Laws.

*First*, How did Madam *Mazarin* make her Elopement from her Huſbands Houſe? In the Night, diſguis'd in the Habit of a Man, thro' a Paſſage which ſhe had cauſ'd to be open'd into the adjoining Houſe; after ſhe had convey'd away all her Plate, all her ſilver Stuffs, and the rich Furniture of her Apartment, ſhe at length cauſes her ſelf to be convey'd away. But by whom? 'Tis true, the Duke of *Nevers* her Brother, juſt lent her his hand, and parted from her; but he left her in the hands of one of the moſt gallant, handſomeſt young Lords in all the Court, who was no Relation, who furniſh'd her with Equipage, laid Horſes neceſſary for her Eſcape; and having born her company ſome days, left one of his Gentlemen, and part of his Retinue to convoy her out of the Kingdom.

Can it be deny'd, that all theſe Circumſtances of her Eſcape are extreemly Criminal in themſelves? May we not ſuſpect ſome greater Crime, and believe that ſhe has but ill preserv'd that Treafure, which by the danger ſhe wilfully threw it into, ſhe appears to value ſo little.

Wou'd

Wou'd not a Husband, that had the least spark of Jealousie, look upon such an Elopement as demonstrative proof? Wou'd not the Judges themselves have been amaz'd, had this Suit been prosecuted? And ought not Madam *Mazarin* to be extreamly oblig'd to Monsieur *Mazarin* for the Justice which he does her, and the favourable Thoughts he has all along entertain'd of her Virtue, in spite of the imprudence of her Conduct.

*Second Circumstance*; When Madam *Mazarin* left her House, did she retire to any Monastery, or any honourable House in the Kingdom? No! She left *France* to ramble over the World, and carry her Shame and her Husband's all over *Europe*.

*Third Circumstance*; How long has Madam *Mazarin* absented her self from her Husband's House, and from the Kingdom? Is it one of those short Separations, which the Lawyers call *Frigusculum*, which ceases as soon as the first Emotions are appeas'd. 'Tis now full Two and Twenty Years, that she has persisted in her revolt from the Authority of her Husband, in her alienation from her Duty, and in her indifference to her Country, and Children.

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dren. Is it not time that the Magistrates shou'd interpose their Authority to oblige her to that, which the Sense of Nature, the love of her Country, and the consideration of her Duty and Honour ought to have exacted from her long ago?

There is yet one Circumstance more; Has Madam *Mazarin* since her Elopement, liv'd with that Modesty, and Retirement, that Decency requires of a Woman that is forc'd to quit her House, her Family, and Country, by domestick Discontents; which they wou'd make us believe to be her Case? I shall upon this occasion take notice of nothing, but what is publick, and which I shou'd labour in vain to conceal. Madam *Mazarin* left *France* to set up a Bassett Table in *London*, to make her House a publick Ordinary for Gaming, and all the loose Practices which Gaming draws after it, or rather serves as a colour for.

And shall the Magistrates behold this Scandal and Disorder, without applying any Remedy? Shall not the Law be able to punish, and vindicate a Husband affronted to that degree? Nothing can be more injurious to the Honour of the Publick, than such a Supposition: No-  
thing



thing more repugnant to the Nature of the Laws of *France*.

Divers of our Customs, as that of *Normandy*, Article 376, and that of *Brittany*, Article 430, declare expressly, That if a Husband dies during the Elopement of his Wife, without Reconciliation, she shall lose her Jointure, and other Settlements, upon the bare complaint of her Husband's Heir, altho' no suit were commenc'd in his Life-time.

Judge then, GENTLEMEN, What in proportion the Woman ought to suffer, that runs away, as *Madam Mazarin* did; and absents her self from the Kingdom two and twenty years, and still continues deaf to the Complaints of her Husband.

In the Canon Law, the Authority of which amongst us in Matrimonial Cases is well known, We have a positive Determination in this Case: 'Tis in the Chap. *Plerumque decretal. de donation. int. Vir. & Uxor. Si Mulier ob causam Fornicationis judicio Ecclesiæ.* This is the first case; *Aut propria voluntate a viro recesserit.* See the second, *Nec reconciliata postea sit eidem, dotem, vel dotalitium repetere non valebit.* This Chapter ranks her that causelessly deserts her Husband;

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with her that is convict of Adultery ; it looks upon both these Injuries as equal, and punishes both alike with loss of Dower, and Settlement.

In short, 'tis plain, consider it how we will, that such a Desertion ought to be punish'd in a Wife with such a Deprivation.

For first 'tis not to be deny'd, that 'tis a manifest Opposition to the Engagements, which by her Marriage Contract she enter'd into ; and an absolute Infraction of the Conditions of that Contract. Now 'tis a certain Maxim, that he that runs counter to the Conditions of a Contract, and fails to perform his part of the Obligation, loses the Benefit of it, and can claim no right under it : By consequence, the Restitution of Portion, the Right of Jointure, and Participation of Effects appertaining to a Wife only by vertue of her Marriage Contract, the Conditions of which she has broken, sh ought without dispute to lose all title to 'em.

If the Law be so severe upon Widows, that marry before their year of Mourning be expir'd, only because so precipitate a second Match looks like a disrespect to the Memory of the dead

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Husband ; if they punish this Fault not only with loss of Estate, but with Infamy likewise ; What Correction can be too severe for a Wife, who shews so much contempt of her Husband while alive, and persists in it so many years ?

If the Son, who is wanting in his Respects to his Parents, or who abandons them, and refuses to return at their desire, renders himself unworthy to Inherit : If a freed Man, by the least affront to his Patron, lost his Liberty, and Estate : If a Vassal amongst us, by injuring, or not acknowledging his Lord, forfeits his Fee : When a Wife, who is undoubtedly oblig'd by stricter Bonds to her Husband, than to her Father, or Mother ; to pay more Respect than a freed Man to his Patron ; and more Honour, and deference, than a Vassal to his Lord : When this Wife, I say, violates all her Obligations, when she disowns him, when she shews an open Contempt of him, can a less Punishment than deprivation of Dower, and of all those Rights that depend on Matrimony, suffice ?

You see therefore, GENTLEMEN, by all these Reasons, there is but too much cause to pronounce Sentence against Madam *Mazarin*.

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All that was alledg'd at *Parquet*, in defence of her Deſertion, and long Abſence, was, that the *Novelle*, which deprives Women of their Dower for abſenting themſelves from the Houſes of their Huſbands, has this Exception, *Niſi forſan apud proprios Parentes*; Madam *Maxarin*, ſay they, is hereby manifeſtly excepted, for ſhe retir'd to *London* near the Queen of *England*, to whom ſhe has the honour to be related: They pretend, that ſo Auguſt a Name, not only excuſes her Abſence, but juſtifies her Conduct, and protects her from all manner of ſuſpicion.

I ſhall not throw away my time, GENTLEMEN, in canvafing the Signification of Words, *proprios Parentes*; tho' they have always been underſtood of Relations in the Aſcendant Line, and not the Collateral. I ſhall readily agree, that a Relation clad in the Regal Purple, how far ſoever remov'd in Blood, may well ſupply the place of a Father, and with preference be allow'd the ſame Privilege: I ſhall grant likewise, that if it be in ſome ſenſe true, that Sovereigns have no Kindred, that the Glory which ſurrounds 'em, divides 'em from thoſe to whom Nature had joyn'd 'em,  
and

and cancels the Obligations of Blood ; that 'tis no less true, that they become to their whole People in general, what they cease to be to particulars ; their whole State becomes their Family, and they are the common Fathers, not only of their own People, but of all that they please to adopt ; that is to say, to take into their Protection.

Nor shall I here insist, that this Exception in the *Novelle*, is to be understood of a short absence only, of a Wife that spends a few days with her Relations, and that the Law did not extend this Favour to those that remain'd from their Husbands ten, fifteen, or twenty years, tho' with a Father or Mother.

But my main answer is drawn from the manner of Madam *Mazarin's* living with the Queen of *England*.

*First*, did the Queen invite her to *London* ? Did she desire her Company ? Did she detain her with her ? On the contrary, had Madam *Mazarin* follow'd her Advice, she had never left her Husband ; or at least, she had made a quick return.

Chance brought her to *London*, after having visited an infinite number of other States ; or rather she was led thither

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by a deſire to be parted from *Monſieur Mazarin* by the Sea, that ſhe might not inhabit ſo much as the ſame Continent with him. Her good Fortune threw her upon the Queen of *England*, who was willing to receive her, and charitably to tender her hand to her, in hopes that her Preſence, her Advice, and the Deference that *Madam Mazarin* ought to have for her, might moderate the violence of her Reſentments.

But what uſe has ſhe made of this Grace? How has ſhe liv'd near that Great Queen? Was ſhe aſſiduous about her Perſon? Did ſhe imitate her Charity, and Piety? Did ſhe follow her Example in any thing? Nothing could be more oppoſite.

The Queen devoted her ſelf wholly to the care of Salvation, and Eternity, and the Exerciſe of our Religion. *Madam Mazarin* gave her ſelf up to the Follies of the Age, and ſeem'd to have no aim but to ruine her ſelf and others.

The Queen made it her buſineſs to gather the Elect into her Palace, and turn it into a Houſe of Prayer, and Edification.

*Madam*

Madam *Mazarin* made her House a publick Rendezvous for Gaming, Pleasure, and Gallantry; a new *Babylon*, where People of all Nations, Sects, and Tongues march'd confusedly together under the Standard of Luxury, and Fortune.

The Queen labour'd to relieve the Necessitous, and knock off the Fetters of Prisoners: Madam *Mazarin* to plunder the Rich, and make 'em her Captives.

The Queen descended from her Throne to humble her self at the Feet of God's Altars, and to pay him that Worship, and Adoration, which are his due: Madam *Mazarin* idoliz'd her self, sought Adorers; and exacted a prophane, criminal Worship from 'em.

Do you call this being with the Queen of *England*? You were farther off her, than Heaven from Earth; and your Conduct divided you more, than your abode in *London* brought you together; and this very Honour of seeing her, and enjoying her Protection, aggravates your Guilt. How can you excuse the having such great Examples before your Eyes, without attempting to follow 'em; at least imperfectly, and at a distance; for few can come near 'em; the having  
liv'd

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liv'd in her capital City, only to raiſe an Altar to *Belial*, on the very ſpot where that Princeſs rais'd one to the true God ; the having plac'd the Idol of *Dagon* ſo near the *Ark* ; the having apply'd your ſelf, as much as in you lay, to combat by your Life thoſe Holy Maxims, which ſhe eſtabliſh'd by hers?

Had you liv'd with that Sage Queen, as you ought to have done, you wou'd not have been ſo averſe to return to *Monſieur Mazarin*: His way of living is not by abundance ſo different from the Queens, as yours. You wou'd at leaſt have learn'd not to make a Monſter of the Piety of your Husband ; you wou'd have learnt to come over to his Opinions ; and beſides the Authority of a Husband, to have rever'd in him, the Character of an Elect, which you make the Subject of your Mockery, and the reaſon of your Separation.

But which way can the Names of the King, and Queen of *England*, be made uſe of to excuſe the Escape, and Abſence of *Madam Mazarin*, after what I have had the Honour to obſerve to the Council at the laſt Hearing ? While ſhe lives in the ſame Tranquility at

*London*



*London* since their departure, that she did in their peaceful Reign; while she pays the same Incense to the Prince of *Orange*, that she offer'd to them, with as much baseness and unworthiness, as it was Honour to her, to pay that Respect which she ow'd to them.

What Excuse has she now? Is the Prince of *Orange* her Kinsman? Are all these Gamesters, Libertines, Presbyterians, Episcopians, Quakers? In a word, are all this Rabble of all Religions, except the true one, which resort to her House, her Relations? Let her shew these unknown Alliances. But there are none; 'tis only to have her Swinge uncontroul'd, that she stays there.

GENTLEMEN, by this time, I presume, you are convinc'd, that there never was any case, that with more reason requir'd the rigour of the Law: Never any Woman that more amply deserv'd to be declar'd incapable of Dower, or Settlement, than Madam *Mazarin*.

But if your Indulgence still holds your Arm, what greater Favour can you afford her, than to suspend the blow some Months, and give her time to repent, and return to her Duty.

But

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But if, inſtead of making a right uſe of this Grace, ſhe continues obſtinate, and to the ſlight of the Conjugal Authority, adds a Contempt of yours; what Punishment can be too ſevere?

It is therefore but juſt, if you will allow her any time to return to *Monſieur Mazarin*, that you at the ſame time declare the Penalty ſhe incurs, in caſe of Diſobedience; and pronounce her *ipſo facto* depriv'd of Dower, and Settlement, by virtue of this Judgment, without occaſion for any other.

You muſt needs be ſenſible, GENTLEMEN, that this is the only way to procure Obedience to your Decrees; and that without it, whatever Commands you lay upon her to return, ſhe, being out of the King's Dominions, beyond which you can exert no Authority, will but laugh at your Orders: ſince therefore your Power does not extend to her Perſon, you muſt neceſſarily exerciſe it upon her Eſtate, if you will compell her to regard your Sentences.

This courſe was taken by the Parliament upon an occaſion, wherein 'twas much leſs neceſſary, and againſt a Woman that leſs deſerv'd it than *Madam Mazarin*. 'Twas in the caſe of the Count  
of

of *Clermont* against the Countess his Wife. She had not been so long withdrawn from her Husband, as Madam *Mazarin* from hers: She went from him in a manner no way scandalous, without being carried off: She was in *Paris*, not *England*, and her Conduct was much more prudent than Madam *Mazarin's*: She had likewise a plausible reason not to return to her Husband, because She had a Suit actually depending for the Separation of Effects.

Yet because She appear'd to protract the Suit, the Count of *Clermont* demand'd, that She shou'd be oblig'd to return to his House during the Process, or otherwise remain depriv'd of her Settlement, which was accordingly order'd.

The like Judgment was also obtain'd by *Torinon*, the Notary, against his Wife, altho' there was an actual Separation of Effects, and the Separation adjudg'd, and executed

You see therefore, that Judgment against Madam *Mazarin* can by no means be dispenc'd with, in case She obstinately refuses to return to Monsieur *Mazarin*.

I believe, GENTLEMEN, that my Demand is sufficiently fortified; I shall  
now

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now proceed to obviate the incident demands of Madam *Mazarin*.

She dares not openly declare, that She will not return to *France*; She knows, that She can't with Honour avow any such thing, much less maintain it with success: She declares therefore, that She is ready and desirous to do it, but She at the same time endeavours to elude her offer, by the Conditions which She tacks to it.

She alledges first, that She is detain'd in *England* by her Debts, which She

has been forc'd to  
 \* 8333*l.*--6*s.*--8*d.* contract, and which  
*Sterling.* amount to \* 100000

Livers; that if Monsieur *Mazarin* wou'd have her, he must pay that Summ. She demands likewise, that he be condemn'd to it, that She may quit a Country, where, as She says, for these are her Words, She can't stay without endangering both Life, and Salvation. She says nothing of her Honour, or Reputation; those She thinks safe in all Countries.

You see, GENTLEMEN, that She sets Monsieur *Mazarin* a price upon the honour of seeing her, and that She rates it pretty high: 'Tis plain, that her Intention

tion is only to baffle his design, well knowing, that in the present posture of his Affairs, he can't raise so great a Summ of ready Money, and that 'twill not be easie to borrow it for that use.

In short, GENTLEMEN, I shall shew you, that these Debts are but a sham Pretence, and that She has nothing to detain her in *England*, but her own perverse Will. To do this, I desire you to make some Reflection thereon.

The first respects the time, when Madam *Mazarin* bethinks her self of saying, that she is willing to return into *France*, upon condition that Monsieur *Mazarin* may be oblig'd to discharge, and pay her Debts. This She did not think on till the Tenth of the last Month, in her Answer to Monsieur *Mazarin's* Petition. Till then she was not aware of the design she had to return into *France*, or of her being detain'd in *England* for her Debts; She liv'd undisturb'd at *London*, not only after the departure of the King and Queen, but even after the Petition of Monsieur *Mazarin*, which bears date the 13th of *April* last. Seven Months were requisite after this Petition, to make her feel her own Wants, and the Impatience She lay under to quit a Country, where

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where (according to her own words) her Salvation and Life were in such Danger. 'Twas necessary, that her Council at *Paris*, who drew her Answer, shou'd inform her how things went at *London*, before her Eyes, in her own Concerns, and even in her own Breast. Had not this been, and had She not been prest to put in an Answer to the Petition of Monsieur *Mazarin*, which was ready to go by default, She had not only not perceiv'd that She was in Debt, and that her Life was in danger, but She had continued agreeably, and commodiously there, and *France* had been forgotten for ever.

I doubt not, GENTLEMEN, but this Remark has already satisfied you, that neither the Condition, nor the Intentions of Madam *Mazarin* are such, as She wou'd perswade us they are.

The second Reflection, which is yet more convincing than the former, is, That ever since the departure of the King and Queen, it has lain wholly in the Breast of Madam *Mazarin*, whether She wou'd return, or not, and is still in her choice.

Upon reading her Defence, wou'd not one conclude, that She were a close Prisoner

soner in *London*, or that she had a Guard upon her House at least? Yet there is nothing like it: We don't hear, that they have made so much as a seizure of her Goods; which if they had, She might, by letting them go, purchase her own Liberty; and Monsieur *Mazarin* never expected that She wou'd bring back, what She carry'd away from *Mazarin* House.

They have indeed produc'd an *English* Certificate, sign'd, as they say, by a Sergeant at Law, and a Barrister of the City of *London*. But it certifies only, *That by the Law of that Country, the Creditors of any Stranger might stop his Effects, and Body, and proceed so against him, that he shou'd not have the liberty of stirring out of the Kingdom, till he had paid his Debts, or given Security.* These are the Terms of the Certificate. What may we infer from hence? Why, that the Creditors of Madam *Mazarin* have perhaps a power to stop her, if they please; but so long as they don't exert it, as assuredly they have not yet done, nothing hinders her leaving *England*.

I have already, GENTLEMEN, observ'd to you in the former Audience, that they were so far from stopping her,  
E that

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that the Convention, or Assembly of Estates did their utmost to expell her; and that She had not been suffer'd to continue there, but thro' the Interposition of the Prince of *Orange*.

What is it then that detains her? Is it a tenderness of Conscience that will not suffer her to leave her Creditors in danger of losing their Debts, or the fear of being tax'd with the breach of her word, if she shou'd go without paying? But were it not a just excuse, to plead that She went away to put an end at once to the Complaints of the Convention, and Monsieur *Mazarin*?

Had not this Niceness, and these Scruples been much more seasonable when She took up her Resolution of running away from the Palace of *Mazarin*? Who cou'd imagine, that Madam *Mazarin* shou'd make a difficulty of leaving *England*, because She owes a little Money to the *English*, that made none of stealing her Self from her Husband, and the Kingdom, to which She ow'd all, to go into *England*? Does She think these pretended Debts more sacred than the Obligations of Wedlock, which She has so highly outrag'd, and which incessantly recall her?

But



But let us enquire a little into these pretended Debts: you shall see, GENTLEMEN, not only that She cou'd not have any Legal ones, but that in reality She has not contracted any.

'Twere no hard matter to prove, that supposing Madam *Mazarin* had contracted Debts, that they are *Null*, and can neither oblige her, nor Monsieur *Mazarin*. In the proof of this it may be sufficient to observe, that She is a Woman under *Covert Baron*, and by consequence incapable of obliging her self without the consent of her Husband.

Madam *Mazarin* her self has so far acknowledged her own Incapacity, not only of contracting, but even of suing without the Authority of her Husband, or a Court of Justice, that, as you know GENTLEMEN, She has formerly presented her Petition to the Council for leave in this very case, to draw up against him such incident Demands, as She shou'd think necessary for her Defence: And the Council has expressly authoriz'd her for that purpose, judging, that without that She was not in capacity to engage her self in these pretended Debts.

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It is not enough to ſay, that this were a good Argument againſt Debts contracted in *France*, but that our Laws, which diſable a Wife for entering into Obligations, are of no force in the Kingdom of *England*.

For firſt, the Council knows, that to judge of any Perſon's Capacity of contracting, the Laws of the Place of his Habitation only are conſulted; and by thoſe Laws the State of his Perſon is regulated; and whereſoever he goes, he carries along with him thoſe Perſonal Qualities, that Character of Capacity, or Incapacity, which they impreſs upon him. By conſequence, Madam *Mazarin* being Married under the Laws of this Kingdom, and having her Manſion always here, notwithstanding her Ramble, She bears her Subjection to the Authority of her Husband about her every where; and before whatſoever Judges theſe Obligations may be brought, they can't but declare 'em *Null*, purſuant to the tenour of our Laws.

The *English*, or other Strangers, who may have contracted with her, ought to have inform'd themſelves of her Condition: They ought to have known, that a Woman Married in *France*, who has a Hus-

Husband actually living, has not by running away, shaken off her dependance, or acquir'd any right of disposing of her Effects; and therefore they ought to thank themselves for those Loans. And I am perswaded, that the *Judges* of *England* wou'd in this case do her the same Justice, that the Council, and other Sovereign Tribunals of this Kingdom do every day to Strangers, whose Differences are brought before 'em.

I question not likewise, but these Obligations are void by the particular Laws of *England*; which, as we all know, are deriv'd from those of the *Normans*, who have always us'd their Wives to a greater Subjection to their Husbands, and laid 'em under a more absolute Prohibition from entring into Obligations, than the rest of our Country: But this is a superfluous enquiry, since 'tis indubitable that Madam *Mazarin* is subject to the Laws of *France*, and that her Subjection and Incapacity of contracting is inseparable from her wherever She is.

It is not enough, GENTLEMEN, to prove to you the *Nullity* of these pretended Debts, I shall farther prove to you, that they are supposititious.

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*First*, What probability is there, that Madam *Mazarin* ſhou'd have occaſion to borrow? She carried off with her above 100000 Crowns in Jewels, Plate, Silver Stuff, and rich Moveables, which be ſure She wou'd firſt turn into Money, before ſhe came to borrowing.

Befides this, as I have already told you, Monsieur *Mazarin* remitted to her divers Summs in the firſt Years of her Abſence; and as ſoon as She ſet foot in *England*, the deceas'd King allow'd her a Penſion of 58000 Livers a Year, in conſideration of the Summ of 900000 Livers which he ow'd to Monsieur *Mazarin*; and this Penſion was continued to her by the preſent King of *England*.

Will Madam *Mazarin*, who never kept either Horſes or Equipage in *London*, ſay, that She is not able to ſubſiſt on this Penſion? Without reckoning the Advantage (not ſo honourable as real) which She makes of thoſe that play daily with her; and which amounts higher than one wou'd imagine. Can it be poſſible, that with ſo conſiderable an Income, She ſhou'd be reduc'd to a neceſſity of borrowing? Wou'd not this argue her of an inexcuſable Profuſeneſs,  
of

of which we are not willing to suspect her?

But if it ben't probable, that She shou'd have any occasion to borrow, it is much less so, that She shou'd find any Lenders of so considerable a Summ, unless they were willing to lose it, and make her a Present under colour of a Loan. Cou'd any one be so imprudent, as to trust his Money with a Fugitive Stranger under *Covert Baron*, that cou'd dispose of nothing? Which of us wou'd lend his Money to a Stranger in her Circumstances? These Debts therefore are a meer Sham.

Madam *Mazarin* has not made it apparent, that She is prosecuted by any of her Creditors, as I have already observ'd; She does not produce Copies of those Obligations, which She pretends to have enter'd into; nor has She so much as brought in the State of these Debts, or given a List of the Names of the Creditors; Wou'd She have omitted these Proofs, if the Debts had been real? And without 'em can She expect, that upon her bare word, that She owes a hundred thousand Livers, without knowing the occasions of her contracting these pretended Debts, or the Names of her

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Creditors, we ſhou'd condemn *Monſieur Mazarin* to pay her 100000 Livers, perhaps to lavish upon her Creatures, and pay 'em for Services, which *Monſieur Mazarin* has no reason to reward? But you, GENTLEMEN, are too clear sighted, too wiſe to ſuffer your ſelves to be taken in ſo palpable a Trap.

Let us proceed to t'other incident Demand of *Madam Mazarin*, She demands, that upon her return into *France*, She be permitted to retire into a Convent, and

that the Council award *Monſieur Mazarin* to pay her  
 \* 2000 l. Sterling.  
 \* 24000 Livers a year.

I ſhall not advance any thing that's new to you, GENTLEMEN, when I ſay that 'tis a conſtant Rule in Law, that a Wife can't be allow'd the liberty of leaving her Husband, and fixing her abode apart from her Husband, unleſs he give her occaſion for it by his harſh Treatment of her. Thus *Anthony Morzac* obſerves upon *l. 5. Cod. de repud; re- d're ſemper cogi poteſt, niſi doceat de ſervitiis mariti*. How long ſoever She may have been abſent from him, She may ſtill be compell'd to return, becauſe no Pre- ſcription

scription will hold against the Rights of Marriage.

This has been a Rule in all Ages, amongst all People, and all Religions; even the *Pagans* themselves, who were ignorant of the Sanctity of Matrimony, observ'd it by the meer light of natural Reason: How much more inviolable then ought it to be amongst Christians, who look upon it as a Type of the inseparable Union of CHRIST, and his Church.

Madam *Mazarin* ought to set forth the evil Treatment She has receiv'd from Monsieur *Mazarin*, which may authorize such a Separation of Habitation, as She desires, and make her Husband her Tributary. This is what Master *Sachot* ought to do; after which, I hope the Council will grant me one hour to defend Monsieur *Mazarin* from those Accusations which I can't at present foresee.

In the mean time I beseech the Council, by way of advance, to make some Reflections upon this Matter.

The first is, that Madam *Mazarin* does so far acknowledge, that She has not sufficient occasion to demand a separate Habitation; that She dares not bring her  
Action

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ACTION for it ; but endeavours to obtain that indirectly, which She can't directly pretend to: She desires, that without a Sentence of Separation, which She dares not offer at, you wou'd separate 'em in effect, by alloting her a Habitation apart from her Husband.

My second Observation is, that She cou'd not have from him any ill Treatment, or lawful cause of Separation: Of this I have an undeniable proof from the Fact of the adverse Party her self. At the time when She left her Husband's House, and the Kingdom, She had a Suit actually depending against him for a Separation. But what sort of Separation did She desire? A simple Separation of Effects. Wou'd this Lady, that try'd all Methods possible or impossible to withdraw her self from the Government and sight of her Husband, have fail'd to have brought an ACTION for Separation of Habitation, which was her most natural way, if She had thought She had the least Pretence to support it? Wou'd She have taken this strange Resolution of running away in a scandalous, criminal manner, which wou'd not only stick an eternal blemish on her Reputation, but had expos'd her to the severest Punish-



Punishments, if She had been overtaken, and Monsieur *Mazarin* wou'd have left her to the rigour of the Law.

'Tis therefore certain, nor can a more convincing proof be given, that Madam *Mazarin* at the time of her flight had met with no ill Treatment from Monsieur *Mazarin*. And this, GENTLEMEN, is a Demonstration of the extraordinary Temper of Monsieur *Mazarin*; for he must have a vast stock of Patience to bear so long, without being provok'd, all the occasions of complaint, that Madam *Mazarin* gave him during the two last years that they liv'd together. Nay, I may say, that he has given us an assurance, that he never will be provok'd against her, let her do what She lists; for 'tis impossible She shou'd give him greater reason to be so, then She did in those two last years.

Accordingly, at the meeting of *Parquet*, nothing was objected against Monsieur *Mazarin*, that was worthy the least notice; they did not accuse him of any ill usage: The only thing that Madam *Mazarin*'s Party reproach'd him with, at which all their Complaints, or rather their Railleries were level'd, was his Devotion.

But

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But was it ever heard, that Devotion was a reason for Separation? It has been pretended, that a Man turning *Jew*, *Pagan*, or *Heretick*, his Wife might ſeparate her ſelf from him, and even procure a diſſolution of the Marriage. But may She forſake him for being devout? Muſt he abjure his Devotion to recover his Wife? This is Doctrine that they will not dare openly to maintain.

Yet 'tis all that Madam *Mazarin* has to object againſt her Husband, She can't deny, but that he has always carried himſelf with all poſſible reſpect towards her; that he has always furniſh'd her with all that's neceſſary, not only for the convenience of Life, but for her Pleaſure, and the ſupport of her Quality with Splendor.

She can't deny, that he has all thoſe Qualities, which make a Man of Honor, and true Merit; Courage, and Valour, of which he gave ſufficient Proof, when he was great Maſter of the Artillery, and Lieutenant General; Conſtancy, Acuteness, Delicacy of Wit, Greatneſs of Mind, which makes him deſpiſe Wealth, or not deſire it, but to diſtribute it well; great Liberality to the Poor, and as great Moderation in relation

tion to himself: His Absence gives me opportunity to say that, which his Modesty wou'd not suffer, were he present.

Madam *Mazarin* acknowledg'd all these great Qualities in him for the first five or six years of their Marriage, and paid that Justice to 'em, that was due.

'Tis his Fault I confess, to be religious, and solicitous for the Health of his Soul; a Fault, which wou'd not appear such to any Wife, that were not her self somewhat irreligious. I will own too, if you please, that there may be both in *France*, and in *England*, gayer, gallanter; sprightlier Men, which have an Air of tenderness beyond Monsieur *Mazarin*, and more agreeable to the Inclinations of Madam *Mazarin*; but will that justify the flighting and leaving such a Husband as he?

A Wife, that meets with no ill usage from her Husband, shou'd not believe, that there is in the World a genteeler, more agreeable, better humour'd Man, than he: And tho' She cou'd not persuade her self of that, yet She ought to consider, that Providence having join'd her to him, She is no longer at liberty

to

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to chooſe, nor examine whether another might pleaſe her better.

She ought to think of thoſe Texts of Scripture, which bind Women inſeparably to the Perſons of their Huſbands; which enjoins 'em to ſerve, and obey him; which ſay that they two ought to make but one Fleſh. Have we any other Law, any other Goſpel, which allows Wives to ſhake off all Duty upon ſuch frivolous Pretences?

How will this agree with that other Precept given to all Chriſtians, eſpecially Huſbands and Wives, becauſe a ſtricter Union is requir'd betwixt 'em, which enjoins 'em to bear with one another's Faults? Is the Devotion of a Huſband a Fault ſo inſupportable, that it deſerves a peculiar Exception?

On the other ſide, has Monſieur *Mazarin* nothing to remit to Madam *Mazarin*? Does She think her ſelf without Faults? We ſhall not indeed accuſe her of that; But has She none, that are oppoſite to it, and more grievous to a Huſband, than that can be to a Wife? If we put the Faults of one, and t'other, into the Ballance, do you think, GENTLEMEN, that Madam *Mazarin* wou'd have ſo much the advantage, and that  
hers

hers wou'd not surpass his, both in number and weight? Nevertheless, Monsieur *Mazarin* is willing to excuse, to forgive, and to forget all: He is ready to receive her, and to treat her honourably, as he has always done: Will not Madam *Mazarin* pardon him this one Crime, Devotion; which most reasonable Women wish for in their Husbands?

There is one Reflection on this occasion yet behind; Madam *Mazarin* refuses to return to her Husband, only because his House is too severely regulated for her, because he will have no Plays in his House; for he does not forbid her seeing 'em elsewhere; in a word, She is afraid of want of Diversion, and the liberty of inviting the Gamesters thither, and receiving as much Company as She desires. These are the only reasons that induce Madam *Mazarin* to desire permission to retire into a Convent.

But does She think, that these things will be more tolerated in a Convent, than in his House? Are not these pretty Dispositions to carry into a Religious House? What can you expect, but an entire Dissolution of Discipline in that Monastery, to which you make so dangerous a Present?

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What

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What I ſay, GENTLEMEN, is confirm'd by Experiments divers times repeated. Madam *Mazarin* had already, before She left the Kingdom, honour'd ſeveral Convents with her Preſence. The Abbies of *Lys Chelles*, and of the Nuns of *St. Mary*, and ſome others, will never forget the honour of thoſe Frolicks Madam *Mazarin* has had there; the Memory of which will be kept up by Tradition in thoſe Houſes for many Ages.

The Queſtion then is, Whether Madam *Mazarin* ſhall go into a Convent, which She will undoubtedly ſpoil; or return to Monsieur *Mazarin*, who will endeavour, if poſſible, to mend her. I doubt not, but you are eaſily determin'd in the choice of theſe two Expedients.

I am fully perſwaded, that if theſe two Princes, as great by their Merit, as Birth, who have hitherto afforded her the honour of their Protection, had been rightly inform'd of the State of the Conteſt, they wou'd have been very cautious of eſpouſing her Quarrel.

They had been told without doubt, of what has been reported in the World, that Monsieur *Mazarin* had a mind to poſſeſs himſelf of his Wife's Eſtate, and  
to

to that end aspers'd her Conduct : But being inform'd by the Pleadings which they have honour'd with their Presence; that the sole aim of Monsieur *Mazarin* is to reunite his Wife to him; We are assur'd, that they will be so far from countenancing her revolt, that they will give her Advice becoming them, and their Wisdom.

What Interest can they have to encourage this Vagabond Life in a Person, that has the honour to be their Relation? Or what motive of Justice can induce 'em to rob Monsieur *Mazarin* of a Wife, which themselves, and all their Family, have solemnly given to him at the Altar?

What probability is there, that they shou'd consent to have their Great Names, and Authority made use of to divide those whom the Church has joyn'd, and to destroy the handy work of God? We will not fear any such thing from the Blood of *Charlemain*, and *Lewis the Great*; from the Blood which has always defend'd the right of Altars, and the Discipline of the Church.

Thus, GENTLEMEN, all things invite you to restore Madam *Mazarin* to her Husband; the Law enjoyns it, the Honour of the Publick requires it, Mon-

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ſieur *Mazarin* earneſtly deſires it. Ma-  
dam *Mazarin* alone oppoſes it, but She  
oppoſes it not only without reaſon, or  
lawful Occaſion, as I have already ſhewn,  
but even againſt her own proper In-  
tereſt.

Does She think it nothing by this re-  
union to put a ſtop to all thoſe foul Re-  
ports, which ſince her Elopement, Ma-  
lice has aſſum'd a ſort of right to ſpread  
concerning her Conduct? Is not She a-  
fraid of confirming 'em by her obſtinate  
refuſal to return to her Husband, from  
whom She has never met with any ill  
Uſage? Is not She apprehenſive, that  
the care She takes to fly from him, and  
hide her ſelf from his Sight, ſhou'd be  
imputed to the Reproaches of her own  
Conſcience, and the Shame of her Miſ-  
demeanour towards him, rather than the  
Imperfection of her Husband?

But let us leave this Worldly Glory,  
which Madam *Mazarin* perhaps deſpiſes:  
She teſtifies at leaſt ſome ſerious concern  
for her Soul in her Answer, ſince to a-  
void the danger that in *England* 'tis in,  
She demands 100000 Livers to enable  
her to come away. This is a laudable  
Diſpoſition, but we muſt not leave this  
great Work imperfect; which it wou'd  
be,



be, if returning into *France*, Madam *Mazarin* lives separate from her Husband, contrary to the Law of God.

Madam *Mazarin* her self will not be long e're She acknowledges the Grace, that you will do her. When She feels that happy Calm, which is not to be found out of that State, wherein Providence has been pleas'd to place us, She will bless the Storm that drove her into the Harbour; She will thank you for the obliging violence you do her, to draw her out of her Labyrinths.

I despair not but in time She will recover that Esteem, and Tenderneſs for Monsieur *Mazarin*, which She had in the first years of their Marriage: They were too vigorous to be quite extinguish'd; and the reflection She will make on his Goodneſs in making the first Advances towards their Re-union, in generously tendring her his hand, and forgetting all past occasions of Complaint and Resentment, which She has given him, will redouble her Respect, and Affection for him.

They will find in themselves more Sympathy, than even in their first years: If the Zeal of the Duke in the fervour of its first Sallies had something too

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rough, and austere, as it usually happens; The Dutchess will find it mellow'd by time and habitude. And I doubt not, but that on her part, Maturity of years, the Fatigues She has undergone, and the Reflections She has made, have qualified the immoderate Passion for Pleasure, which She then had.

But tho' Time shou'd have made no alteration in her Humour, yet I am perswaded, that Monsieur *Mazarin*, having been so severely punish'd by a Separation of twenty years, for offering to take the Liberty to correct her, will not attempt it any more, without the nicest Precaution; and that he will pay such an extraordinary Complaisance, as will gain extreamly upon the Heart of Madam *Mazarin*, when She considers how little She has done to merit it.

# CONCLUSION.

I conclude, that the Council wou'd be pleas'd to order, that during the unjust retreat of Madam *Mazarin*, She be divested, and depriv'd of Dower, and Alimony. That it be at the Discretion of the Council to appoint a limited time for her return to *France*, and to the House of Monsieur *Mazarin*; after which, upon her default, She shall incurr this Penalty by Vertue of your Decree, without recourse to any other; and that Monsieur, the Duke of *Mazarin*, be permitted to resume her, wherever he can find her, and to cause her to be convey'd to his House; and this without regard to the incident Demands of Madam *Mazarin*, which shall be rejected.

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A  
R E P L Y  
T O T H E  
P L E A D I N G  
O F  
*Monsieur Sachot,*  
In the same CAUSE.

GENTLEMEN,

**I**F Marriage were such a Society, as either Party might dissolve, by a simple Renunciation: If a Husband held his Title only by Commission, which might be taken away at his Wife's Pleasure: Or, if we liv'd in those happy times, which have been with such pleasure dilated

lated on, and seem to be so much regretted, when Women counted their years by the number of their Husbands; and when a simple change of Mind was a sufficient reason for a Divorce; there might be something in what has been urg'd to you, whereon to ground this Separation, which Madam *Mazarin* wou'd indirectly obtain.

More Zeal cou'd not have been shewn, than her Council have made appear in their Plea for a Separation; but the means whereon to ground it according to our Customs, amongst Christians that look upon the Rights of Marriage as Sacred, and this Society as indissoluble; that ill usage which a Husband must shew to his Wife, to lay a Foundation for a Separation, is what I have not heard the least offer to prove, thro' the whole Plea of the adverse Party.

I shall venture to say farther, that their way of expressing themselves, confirms what I have had the honour of telling you in the first Audience; that this desire of being remov'd from Monsieur *Mazarin*, did not flow from the proper Motions of Madam *Mazarin*'s own Heart, but that She was acted by the Spirit of another in all this matter.

This, GENTLEMEN, appears sufficiently in the hard opprobrious terms that have been cast upon Monsieur *Mazarin*, which cou'd never proceed from the Mouth of a reasonable Woman against her Husband ; She ought to complain without insulting, to endeavour to raise the Compassion of her Judges, and not the laughter of the Audience: She ought to lay open the Injuries he does her, and not affect to do him any : She ought in short to acknowledge, and respect in him always the hand of God, which has given him to her for a Master.

This Character a Woman of Sense wou'd always maintain in these sort of Actions; and tho' She thought otherwise in her Heart, yet Prudence wou'd forbid her to let it appear.

Madam *Mazarin* wou'd without question have kept up that Character of Moderation, and Sweetness, that is so very natural to her, and that She has for all the rest of the World ; and She wou'd have inspir'd it into those, that She had charg'd with her Defence, if that had been any part of her Care. She wou'd have avoided dishonouring, without necessity, a Name which She bears ; and making

making that Man ridiculous, whose Honour or Infamy She is by her Condition oblig'd to share.

But what still better proves how little Madam *Mazarin* is concern'd in what has been pleaded to you, is the contradiction between the principal Facts, which they have advanc'd, and those which She her self has publish'd in her Apology, under the Title of her Memoirs; to excuse that Conduct, which She judg'd rightly, that all the World wou'd blame. It is not likely, that Madam *Mazarin* wou'd give Instructions for a Defence to be made before you, so different from that which She has offer'd to all Nations of the Earth in that History, which is translated into so many different Languages.

This, GENTLEMEN, Master *Sachot* honestly avows, that he has receiv'd neither Memoirs, nor Instructions, from Madam *Mazarin*: And I am very glad, for the Interest of his Client, as well as mine, that he has made this Confession, which justifies 'em both; by informing us that these biting Railleries, these scandalous Charges, the Accusations of Perfidy, Hypocrisie, and Folly, do not  
come

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come from Madam *Mazarin*, but are suggested by some Foreign Malice.

But Master *Sachot* must excuse me, if in praising at once his Zeal, and Sincerity, I make bold to complain of his easiness in pleading in the Name of a Wife, so many injurious things against her Husband; not only without the least proof, but even without the least Instructions, or Warrant for it. Methinks a Man so exact as he, that expects that I shou'd produce Monsieur *Mazarin's* Hand to warrant my saying, that he will suffer his Wife to go to a Play, shou'd be much more oblig'd to have Madam *Mazarin's*, to give the Publick this Farce at her Husband's Expence; and to make such a Satyr upon him, as reflects upon her self.

But from what hand soever these shafts come, which are let flye at us, 'tis no difficult matter to ensure Monsieur *Mazarin* against 'em; and to shew, that nothing that has been urg'd against him, in all these Pleadings, ought to do him the least damage, either in his Cause, or in the Opinion of the World.

I might, GENTLEMEN, neglect the Story, as foreign to our Cause as it is false, of 50000 Crowns promis'd by  
Mon-



Monſieur *Mazarin*, to Monſieur the Biſhop of *Frejus*, to promote this Match; of which, as they ſay, he has ſince denied the Payment. But ſince they have taken occaſion from it, to harangue, not only againſt Monſieur *Mazarin*, but in ſome meaſure againſt Devotion it ſelf; I think it convenient to acquaint the Publick, that this Story is a meer Fiction.

As there is no proof offer'd, a bare denial may ſuffice; but to give it the more weight, I deſire your leave to read what Monſieur *Mazarin* writes to me hereupon, in a Letter which I receiv'd yeſterday from him; 'tis well known how incapable he is to aſſert a Lie, or deny a Truth; and how tender conſcienc'd he is in that point; ſo that I doubt not but the Council will do him the honour to believe him, before Madam *Mazarin*.

*Nothing can be more falſe, than the Agreement for 50000 Crowns, with Monſieur, the Biſhop of Frejus; he never ſaid, or ſtipulated a Word; the late Cardinal Mazarin projected our Marriage, with Monſieur Tellier the Chancellor: 'Tis true, that Monſieur the Biſhop of Frejus was af-*  
ter

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*ter made a Confident. Where's the Sense of drolling upon a falshood, an imaginary breach of Word?*

Having read this, I shall make but one Remark, which is, that to me it seems very difficult to reconcile the Fact of this Perjury (for so they call it, and such it were, if true) with the Character which they have given Monsieur *Mazarin*, thro' all the rest of their Pleadings. Wou'd a Man, that gives all his substance to the Poor, that sacrifices Millions to purchase Heaven, be guilty of Perfidy, to save 50000 Crowns?

You make his Devotion prodigal, and covetous at the same time; charitable, and perfidious, giving profusely where 'tis not due, and refusing basely where 'tis. You ought at least to give him a more equal Character, and to sort your Fictions better, if you wou'd have 'em believ'd.

Let us now return to those Facts, which have Relation to our Case.

They have pass'd very slightly over the manner of Monsieur and Madam *Mazarin*'s living together in the first years of their Marriage; because indeed they dare not deny, that they liv'd in  
great

great Concord. Now this is a matter of extream Importance: For they have told you, and it is true, GENTLEMEN, that Monsieur *Mazarin* was devout at the time of his Marriage, as he still is. How then comes this Devotion to be so odious to her, after She had born with it for six years together, without the least diminution of her Affection for Monsieur *Mazarin*? What reasonable excuse can She make for her Elopement, or for the Demand that She makes to be authoriz'd to live apart from her Husband?

Monsieur *Mazarin*'s Temper is no way alter'd, his Sentiments are the same that they were at the time of their Marriage; that golden Age, when they liv'd in perfect Union. 'Tis therefore Madam *Mazarin* that is chang'd; which can be nothing, but the effect of her Inconstancy; had She continued in those good Inclinations, She had with my Client enjoy'd the same Happiness and Tranquility to this day.

They pass thence to the time of her Flight; they thought themselves oblig'd for her honour, to say, that She had suffer'd abundance before She took up that Resolution: But since these Grievances  
never

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never appear'd, since She never complain'd of 'em, since She contented herself with a simple Action for a Separation of Effects ; they are forc'd to pretend, that her silence was the result of her Discretion ; that She thought herself oblig'd as a Mother, to demand a Separation of Effects, to hinder the ruine of her Children ; but that She neglected what related to her own proper Ease and Interest only.

Here's a very laudable Discretion, that will not suffer Madam *Mazarin* to tell her Case, and seek Remedy from Justice ; yet does not hinder her from running away in the Habit of a Man, with one of the most agreeable, but least discreet Lords of the Court.

But the point of Discretion is no longer to be disputed ; the Mask is off ; therefore you must immediately lay open ; that ill Usage, those intolerable Hardships, which have forc'd her upon the cruel necessity of throwing herself into the Arms of the Chevalier *de Rohan* ; For 'tis to no purpose to suppress his Name, since you have nam'd him. Or if Monsieur *Mazarin* has not proceeded so far as ill Usage, tell us at least what Menaces, what disobliging Discourses She has had from

from him? You owe an account of 'em to the Council, to the Publick, to the Justification of Madam *Mazarin*, and to the Defence of her Cause.

Would you perswade the Council, that 'tis out of Modesty, that you conceal these things? Do you think it sufficient to affect a mysterious Air, and to say, that you are unwilling to affront Monsieur *Mazarin* so far, as to tell necessary Truths, when you offer him so many, and so gross Injuries; and lay, without any occasion, so many false Crimes to his Charge?

You see therefore evidently, GENTLEMEN, that the Silence of Madam *Mazarin* before her Flight, and of her Advocate at present concerning those hardships, which they in general Terms say She has suffer'd; are in a manner so many formal Acknowledgments, that She has not met with any.

You have been told, that what oblig'd Madam *Mazarin* to flie, was, that Monsieur *Mazarin* foreseeing that he shou'd be cast in the case of Separation, frighted Madam *Mazarin* away designedly, by false Intelligence; that he suborn'd Persons to tell her, that She wou'd be overthrown, and that then he wou'd  
shut

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ſhut her up between four Walls; but what confirm'd this Reſolution, was, that Monſieur *Mazarin* obtain'd a Decree to take her into his Cuſtody, and that She fear'd that he wou'd ſeize her by Virtue of it.

Madam *Mazarin*, in her Memoirs, which are in every Bodies hands, ſays, that what made her take up a Reſolution of leaving the Kingdom, was, that She knew that the GENTLEMEN of the great Chamber wou'd reject her Petition for Separation of Effects, and oblige her to return to her Husband: That this Advice came from ſo good hands, and he that gave it her made ſo tickliſh a ſtep in it, that She wou'd never diſcover his Name. Give me leave, GENTLEMEN, to read this Paſſage to you, which is conceiv'd in Terms more ſtrong than I have reported.

Memoir, Fol. 119.

*During theſe Broils, Our Suit went ſtill fowards; Monſieur Mazarin was as much favour'd by the Old Men, as I by the Young Ones. At the end of three Months, I receiv'd advice, that he had made himſelf Maſter of the Great Chamber; that his Party cou'd do any thing there, and that*  
he

he might have what Decree he pleas'd; and that they wou'd not only deny me a Separation of Effects, which I desir'd; but wou'd take from me that of the Body, which I then enjoy'd, and did not sue to them for; that in short, according to the Rules of Law, the Judges cou'd not avoid ordering me to return to my Husband, tho' they had been as favourable to me, as they were the contrary. If this Advice had come from a less friendly hand, I might have nam'd my Authors; but as in doing it, they made a very hazardous step, they exacted Secrecy of me, which I will keep for ever. Judge then, what I was to expect from Monsieur Mazarin, if I had return'd to him upon a Decree, having the Court, and the Parliament against me; and, after so many occasions of Resentment, as he thought he had. These were the Motives of that so strange, and so much blam'd Resolution of retiring into Italy to my Relations.

You see, GENTLEMEN, what Madam Mazarin her self says; it is not therefore true, that Monsieur Mazarin was like to lose his Cause; nor that he caus'd false Intelligence to be given to Madam Mazarin.

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As for the Warrant to take Madam *Mazarin*, How can that be pretended to have been the occaſion of her Flight; which was not obtain'd till two days after She was gone; and which was procur'd only on that occaſion? And 'twas this very Warrant, which gives him Liberty to make purſuit after her. She made her eſcape in the Night, on the 13th or 14th of *June*, and the Warrant was iſſued on the 15th. How cou'd Monſieur *Mazarin* petition for leave to recover Madam *Mazarin*, when She was actually lodg'd in his Houſe.

All theſe Excuses therefore are ſtark naught, and we may take it for granted, that Madam *Mazarin* had no other reaſon for her Flight, than her own Levity, and Paſſion.

But, ſay they, Madam *Mazarin* ſaw ſtrange Waſte, the rich Furniture diſappear'd day by day, She ſaw her ſelf upon the brink of Ruine, and her Children like to be the pooreſt Gentlemen in the Kingdom.

Who wou'd have believ'd, GENTLEMEN, that Cardinal *Mazarin's* Heireſs ſhou'd have run away, and left the Kingdom for fear of Poverty, and Starving  
in



in *France*? So that this Pretence is as frivolous as the rest.

But the rich Moveables disappear'd, you say; If you mean those of your own Apartment, you are in the right; for you carried 'em away your selves; and they disappear'd in a very ill manner, for they have serv'd to facilitate *Madam Mazarin's* Flight, and to support her foolish Extravagancies.

But all the other Moveables remain'd, and do so still; those only excepted, which *Monsieur Mazarin* gave to my Ladies, his Daughters, upon their Marriage; and there is yet in the Palace of *Mazarin*, to above the value of a Million. In the same case are all the Effects of the Cardinal; my Client has not sold one Farthings Worth, as I shall shew by and by, in the proper Place.

But suppose there had been squandering, will that excuse the Flight of *Madam Mazarin*? Will that justifie her abandoning her Husband, and his House? On the contrary, is not a Woman the more oblig'd to stay at home, to rectifie, or hinder by her Advice, the Profuseness of her Husband; or, by her Oeconomy, to repair it?

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You have been told, GENTLEMEN, that Monsieur *Mazarin* rejoyc'd at the Flight of his Wife, tho' he feign'd an Affliction ; that his Friends came to wish him Joy of it, and that he wou'd not lay hold on those occasions of Reconciliation that were offer'd him.

Don't insult the Sorrow, that this scandalous Flight has given Monsieur *Mazarin* for himself, and her Interest ; It has been but too piercing, too publick, and of too long continuance ; Madam *Mazarin* her self says so of it in her Memoirs ; She raises a Trophy upon it, and undoubt-edly will take it ill, that you pluck it down, and rob her of the Honour.

My Client's Friends might perhaps be glad of it, because being unprejudic'd, they judg'd more truly of the matter ; but as for him, he is not asham'd to confess his weakness, and avow, that nothing ever wounded him so deep ; and that he did his utmost to prevent her going out of the Kingdom.

This it was, that drew that Answer so full of Spirit, and Wisdom, from a Mouth accusom'd to deliver nothing but Oracles. (*You ought rather to desire my Orders to the Governours to keep her out of France, than to keep her in.*) But  
how

how cou'd Monsieur *Mazarin* advantage himself by that Advice, which, as you see, he is not yet in a Capacity to make use of?

They have trump'd up again the mention of what past, when Madam *Mazarin* return'd into *France* with Monsieur, the Duke of *Nevers*, that She was brought to Court by order of the King, and had the honour to talk with him. They give an account of this matter directly repugnant to the Truth, and to that which Madam *Mazarin* her self has given of it in her Memoirs.

'Tis true, that the King understanding that Madam *Mazarin* was at *Nevers*, and being griev'd to see the Misfortunes into which She plung'd her self, and reduc'd her Husband, had the Goodness to interpose, in order to reconcile 'em.

He Commanded Madam *Mazarin* to come to Court, and gave her his Word ( which is the best Safeguard that even his Enemies can have ) that She shou'd have no violence offer'd her ; and that if She did not come to an Accommodation with Monsieur *Mazarin*, She shou'd be reconducted out of the Kingdom in safety. The Lady *Belizany* went for her by his

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Order, and brought her to Madam Colbert's House.

She had the honour to talk with the King, who did not propose to her, what they have pleaded, to stay at *Paris*, and prosecute her Suit of Separation. Had not that been a pretty Accommodation, and worthy the Care of so great a Monarch? Such a hand as his ought perfectly to heal all that it touches; and She had another sort of Process to look after, than that of Separation of Effects; and She would have been very happy, if one might have compensated for t'other.

The King propos'd (as She her self owns in her Memoirs) to her, to be perfectly reconcil'd to her Husband, and to return to her House: And he not only propos'd it, as She confesses, but he advis'd it likewise.

His Majesty had the Goodness to add such Conditions, as ought to have stilled all her Caprices, and with which any other Woman would have been highly satisfied; (*That Monsieur Mazarin shou'd have no Inspection of her Servants, and that She shou'd not accompany him in his Journeys*; ) and some other such like, in which he was willing to indulge the ill humour of Madam Mazarin.

Yet

Yet all this wou'd not content her, She prefer'd her own Whimsies before the obliging Counsel of the wisest Prince on Earth; She declar'd positively, that She wou'd not return to Monsieur *Mazarin*, and desir'd him to reconduct her into *Italy*, with the Pension of 24000 Livres which he had given her hopes of. It is not true, that She chose to stay in *France*, and that the King oblig'd her to leave it; and the Placet, or Letter which they have read in this Audience is a spurious Piece, and her own Memoirs give the lye to it; I desire the leave of the Council to read her Account of this matter.

Memoir, Page 119.

*To know the Truth, the King sent to me at three Months end by Madam Belizany, with an Exempt, and Guards, in Madam Colbert's Coach, with whom my Brother had desir'd the King to lodge me, as a place where no body cou'd oblige me to disguise my Sentiments: Two or three days after he made me come to Madam Montespan's to talk with him; I shall never forget the goodness with which he receiv'd me, even to pray me to consider, that if he had not made bet-*

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*rer Terms for me in what had pass'd, my Conduct had depriv'd him of the means; that he wou'd have me speak my Mind freely, that if I was absolutely determin'd to return to Italy, he wou'd give me a Pension of 24000 Franks, but that he wou'd advise me to stay; that he wou'd make my Accommodation as advantageous as I pleas'd; that I shou'd not follow Monsieur Mazarin in any of his Journeys; and that he shou'd have nothing to do with my Domesticks; and that if his Caresses were ungrateful to me, I shou'd not be oblig'd to suffer 'em; and that he wou'd give me till to morrow to consider of it.*

*I cou'd easily have answer'd him upon the spot, as I did the next day.*

*That after having endeavour'd to take away my Honour, as Monsieur Mazarin has done; after refusing to receive me again, when I offer'd to return without any Condition, and he knew the extream necessity I was in, I cou'd not prevail upon my self to return to him; that whatsoever Precautions might be taken, he was of such a Humor, that I must necessarily suffer twenty hardships from him daily, which it wou'd not be proper to trouble his Majesty withal; and that I accepted with abundance of thanks,*  
*the*

of Mazarin's Case. 89

*the Pension which he was pleas'd to bestow upon me.*

*After so substantial Reasons, you will be surpriz'd to hear, that all the World blam'd my Resolution, but the Judgments of Courtiers differ very much from those of other Men. Madam de Montespan, and Madam Colbert did all that lay in their Power to oblige me to stay; and Monsieur Lauzun ask'd me, what I intended to do with my 24000 Franks? That I shou'd eat 'em out at the first Inn, and be forc'd to return shamefully for more, which wou'd not be given me.*

You see, GENTLEMEN, what Opinion they had of this good Manager, that accuses her Husband of Profusion.

The King not being able to perswade Madam *Mazarin*, was oblig'd to make good his Word, and to cause her to be convey'd in safety out of the Kingdom. After this manner things went: we shall in the sequel examine those Advantages Madam *Mazarin* pretends to draw from hence.

We shall now proceed to an Examination of the means, which have been offer'd you. I shall not reply to the Historical Curiosities, which they have brought, the use of the Divorce in Old Rome,

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*Rome*, nor the Inclination the *Roman* Ladies had to put it in Practice ; 'tis nothing to our Cause, unleſs they mean 'em as Precedents, to ſhew that Madam *Mazarin* is not the firſt, whoſe Inclinations have ſtood that way ; that She does not degenerate from thoſe Ladies from whom perhaps She is deſcended ; and that She has in this a Soul truly *Roman* ; but all this does not exempt her from the Penalties enacted againſt thoſe Ladies in the *Novells*, which I have cited.

They have endeavour'd to avoid the force of thoſe Laws by a twofold Answer.

*Firſt*, they pretend 'em to be no longer in Force, ſince the abolition of the Divorce ; after which only the Privation of Dower took place, of which it was a conſequence, and without it never obtain'd.

I have already in my Plea, provided againſt this Objection, and ſhewn you, GENTLEMEN, that the Abolition of the Divorce, which was one of the Punishments of the ill Conduct of Wives, ought to be ſo far from exempting 'em from t'other, which was the Privation  
of



of Dower, that this latter becomes thereby the more necessary.

You have seen likewise, that 'tis the Intent of our Customs, divers of which conclude expressly for it; that 'tis the Practice of the Sovereign Courts, that 'tis an adjudg'd Case, to all which I have not heard any Answer.

We must therefore allow, that our Law in this agrees exactly with the *Roman* Laws; and that the abolishing the use of Divorces, has not abrogated this Penalty.

The second Objection which they make, is that there is in the *Novells*, a Clause of Exception for those Women, that retire to their Fathers, or Mothers. This they say extends to Madam *Mazarin*; because in case of a want of Father, and Mother, the other near Relations fill their Room; and especially when they are cloth'd with eminent Dignity, which challenges for them the same respect that is due to Parents; and to this Position I agree.

Now say they, when Madam withdrew first into *Italy*, She Lodg'd with Monsieur the Cardinal *Mancini*, a Man of great Virtue: This likewise is true; but they ought to add that Cardinal

*Man-*

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*Mancini* ſoon finding his Authority too weak to keep her within thoſe Bounds, that he deſir'd, put her into a Convent, of which Madam *Mazarin*, the Cardinal's Siſter, was Abbeſs: Here likewiſe I allow that her honour was ſafe, She was cover'd from Scandal; but She had been here but 15 days, when She eſcap'd by a Stratagem, under colour of reconducting Madam her Siſter. She tells this Story her ſelf in her Memoirs, and cloſes it pleaſantly in theſe words, *The Poor Old woman*, ſays She ſpeaking of her Aunt, *took this adventure ſo much to heart, that She died of Grief a few days after.*

This is an Illuſtrious Teſtimony of the Reſpect that Madam *Mazarin* has for her Relations, and their Dignities, and of her own Good Nature.

They add, that in her ſecond Journey to *Italy*, Monſieur the Conſtable *Colonna* receiv'd, and lodg'd her in his Houſe.

This too is true; but they don't tell you, how well She obſerv'd the Laws of Hoſpitality; Her firſt care was to inſpire in to Madam the *Conſtable* her Siſter the ſame Sentiments for Monſieur the *Conſtable*, that She had for Monſieur *Mazarin*; and She wrought ſo effectually, that She

She soon perswaded her to go to *France* in the same manner, that She had done to *Italy*: And as Madam *Mazarin* was by Experience vers'd in all the Stratagems that are requisite to such Enterprizes, Madam the *Constable* set sail under her Conduct, and arriv'd safe at *Marseilles*, in spite of all the diligence of Monsieur the *Constable* to pursue, and take 'em.

At last you are told, GENTLEMEN, that in *England* She was lodg'd in the Palace, and near the Person of the Queen; I shall not add any thing on this occasion, to what I have already said in the first Pleading, except that 'tis not true, that She did ever lodge in the Palace of the Queen, while She was Dutchess of *Tork*, or in the King's Palace after that Princess came to the Throne; She always lodg'd in an Apartment belonging indeed to the Palace of *St. James*, but *St. James's* Palace is not the Place of the King's Residence, which is call'd *White-hall*, not *Louvre*; for the Name of *Louvre* is taken from the place where the Palace of our Kings is built. It is in respect of *White-hall*, what the Castle of the *Tuilleries* is respect of the antient *Louvre*; and Madam *Mazarin's* Lodgings are to the Castle of *St. James*, what the

*Sieur*

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*Sieur Renard's* House formerly was to the *Tuilleries*. Judge then, GENTLEMEN, if this be near enough the Palace, to say, that the Queen's Presence, and the Respect, that *Madam Mazarin* had for her Person, are sufficient to banish all Suspicion; and if any one wou'd upon this bottom warrant all, that pass'd in her Lodgings.

But this is an un-necessary Enquiry, since *Monsieur Mazarin* is willing to pardon what's past, provided that *Madam Mazarin* will without delay return to her Duty. Don't therefore give your selves the trouble of a too difficult Justification, which *Monsieur Mazarin* does not exact from you: He will believe her Innocent, content your selves with that, and take care, that your Over-Officioufness to justify her, does not, by opening too much, produce a quite contrary effect.

The same reason shall make me pass lightly over their distinction between the two retreats of *Madam Mazarin*: They say, that if her causing her self to be carried away at first, had any thing criminal in it, 'tis cover'd, and Reparation made by her voluntary return into *France*. That the second is wholly innocent, as being involuntary, and done by the King's  
Per-

Permission, and in Obedience to his Order.

But first, how can they pretend, that Madam *Mazarin's* coming back into *France* without returning to her Husband, is a Reparation of her Fault in running away from him? Does a Woman, that has made an Elopement out of the Kingdom, recover her Innocence, as soon as She sets foot upon *French* Ground?

I agree, that if a Woman returns to her Husband, and he receives, and lives with her without Prosecuting his Revenge for the Injury, he shall not afterwards be allow'd to revive his Complaint, because such a Cohabitation shall be construed a Remission. But here's nothing like it. Monsieur the Duke of *Nevers* carried away Madam *Mazarin* into *Italy*, and he has brought her back again into *France*, without joyning Monsieur *Mazarin*; this is rather a continuation of the Affront, than a Reparation.

As for the second retreat, I have already acquainted you, GENTLEMEN, that they have not truly represented the matter of Fact, and that if the King did reconduct Madam *Mazarin* out of the Kingdom, 'twas in conformity to his Word, and the desire of Madam *Mazarin*; that

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that this did no way wipe off the Wife's Guilt, nor impair the Rights of the Husband.

Don't we ſee Fugitives, and Criminals appear every day upon the credit of Protections, which are granted either by their Creditors, or by order of Council? When the time of their Protections are expired, and they withdrawn, are not the Proceſſes againſt 'em continued, and they eſteem'd not a whit the leſs culpable?

Madam *Mazarin* her ſelf was ſo little perſwaded of her own Innocence, or that the King's Permiſſion to retire into *Italy* was a Protection againſt the Purſuits of her Husband, or the right he had to recover her; that when She return'd with Madam the *Conſtable* her Siſter, into *France*, She durſt not appear, but in diſguiſe; and being inform'd that the Duke, who had ſome notice of her arrival, was in queſt of her, She made all the ſpeed She cou'd into *Savoy*, and thence She went into *England*.

All theſe falſe Defences therefore muſt be retrench'd; but (once more I repeat it) what ſignifies it to enter into a Diſcuſſion, which can be of no ſervice to Madam *Mazarin*, ſince my Client is willing

ing to pardon her all that is past, upon condition, that She returns immediately to him. What reason can She have to refuse him? I wish her going away, her travels, her long abode in Foreign Countries, and her Conduct there, I wish, I say, that all this were cover'd, or rather that it were Innocent; But can her refusing to return to *France*, and Monsieur *Mazarin* be excus'd? Can her obstinacy be look'd upon otherwise, than as a fresh Injury, a new Crime? Is She a Widdow, has She transfer'd her self to any other Man's Authority? The Church, and the Laws of the Land have given him to her for a Husband, and commanded her to obey him; has any other Power dispens'd with her?

Tho' it were true, that the King had given her leave, or even order'd her to retire for some time to her Relations in *Italy*, is it not a manifest abuse of his Permission, to extend it to so long a stay in Foreign Parts, and to plead it still for the continuance of it? Can She pretend, that 'twas the Design of a Prince so Religious, and so zealous for Discipline, to separate her from her Husband for ever? Has he not plainly enough signified the contrary, when offended at her obstina-

H cy,

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cy, he has taken away the Penſion of 24000 Livers, which he allow'd her for the two firſt years of her Abſence ?

Dare any one maintain, that in permitting her to go into *Italy*, he gave her leave to harbour among his Enemies, in the Court of an Uſurper, in a Heretick Country, the Object of Heaven's Wrath, and Man's Averſion ?

'Tis therefore certain, that Madam *Mazarin* is without Excuse; that her Flight, her two and twenty years ſlay in a ſtrange Country, and her refusal yet to return, are ſo many breaches of her Duty, and of her Matrimonial Obligations, the natural, and legal Punishment of which is deprivation of Dower, and Settlement. If you do her the Favour to allow her time to avoid this Penalty, in caſe She does not within that time yield Obedience to your Orders, you can't too ſeverely puniſh her paſt Faults, and her preſent Contempt.

Let us now proceed to conſider what has been ſaid to ſupport her incident Demands, and begin with the 100000 Livers for the payment of her pretended Debts.

I ſhall



I shall not, GENTLEMEN, repeat any thing that I have already had the honour to say to you on this Head.

I shall only cite you one Decree of Parliament of the 23d of *March*, 1672, as 'tis reported in the second part of the Journal of the Palace, which rejects the like Demand of a Woman in a Case much more reasonable on her side, than 'tis in this.

*Frances Frottier* having quitted her Husband during the Prosecution of an Appeal which She had brought concerning an Abuse in the Celebration of her Marriage, which was not ill grounded, She having been Married under the Age of twelve Years : She contracted during this Absence, some Debts to 5000 Livers, for things necessary for her Subsistence only. After She had been cast upon the Appeal of Abuse, She demanded, that her Husband shou'd be oblig'd to pay these petty Debts : She grounded it upon the Obligation he was under to give her Maintenance, upon the cause, and the smallness of these Debts contracted for her Subsistence ; upon the necessity She lay under of quitting his House, because in continuing with him, She had ratified the Marriage.

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Monfieur *Maupéou*, fince Advocate General, was Council for the Husband, and ſhew'd, that he ow'd no Alimony to her, but while She liv'd with him ; and that the Obligation to maintain her was infeparably bound to an actual Cohabitation ; his Argument is reported in the Journal ; upon this a Decree was obtain'd, avoiding the Demands of the Wife, and her Creditors.

How much more ſtrongly will it take place againſt a Woman, that has abſented her ſelf not only from her Houſe, but from the Kingdom, without any neceſſity, out of meer Caprice ; and againſt Debts contracted by Expences abſolutely ſuperfluous ?

It has been objected, GENTLEMEN, that all this wou'd be good, if the Creditors were ſubject to our Laws ; but We have to do with *Engliſh Men*, whoſe Laws differ from ours ; who will by violence extort, what they can't by Juſtice. They have in a very patheticall manner, aggravated the Peril She is in of her Life ; as if they put in Execution in *England*, that old Law, which allow'd the Creditors of an Inſolvent to tear him to pieces ; and they have repreſented Madam

*Ma-*

*Mazarin* to you, as one that every Moment expected Martyrdom.

But how shall we reconcile this Tragical Representation to what we see clearly, that it has been *Madam Mazarin's* Fault alone, that She did not come to *France*, when so many natural born *English* Men, the greatest part of which left Debts undoubtedly more effective, than hers, came without impediment? How does this accord with what I have already observ'd, that there has yet been no Suit commenc'd against her, no obstacle rais'd by her Creditors to hinder her coming?

Does not all the World know, that instead of being arrested at *London*, She was forc'd to have recourse to the Superior Authority for leave to stay? If her Life was in danger, as She says; if She was expos'd to Martyrdom, would She make Application to continue there? Wou'd She prefer such an Abode to her Husband's House? Unless some splendid fit of Zeal makes her covetous of that glorious Palm, and gives her a holy Ambition of being sacrific'd by that barbarous Nation; and having that at least in \* *Joan of Orleans*. common with that

\* *Illustrious Maid*, whom our Nation

acknowledges to have been her Deliverer.

But we need not fear any such thing from Madam *Mazarin*; a Woman that takes it ill, that her Husband employs any part of his Wealth in Works of Piety, will never be prodigal of her Blood for Religion. Undoubtedly She must be in great Security in *England*, since She can't resolve to leave it, till She has artickled for her Habitation, and Pension in *France*.

Thus, GENTLEMEN, I have shewn you, that her Debts are a meer Sham, a Pretence devis'd by her Counsel at *Paris*, to excuse her Obstinacy: I shall not repeat all the Particulars; but I shall answer only to some Letters, which were read to you last Hearing, to prove the reality of these Debts.

These Letters, they tell us, are written naturally, and without Study, they come from the heart, and by consequence we are not to doubt the truth of what Madam *Mazrrin* says in 'em; that her Creditors are importunate, and that She is afraid of being sued.

*First*, these Letters are not acknowledged.

But,

But, if they were, are we oblig'd to believe Madam *Mazarin*? Shall we give her a 100000 Franks, because She writes word, that She owes so much, and has occasion for it?

But I desire the Council to observe, that these Letters don't mention the Summ of her Debts: Now if the Dutchess of *Nevers* had any Letter, that was more particular in the Summ, She wou'd undoubtedly have produc'd if, It must therefore be Monsieur or Madam *Nevers*, or he that drew up this Defence, that has officiously tax'd Monsieur *Mazarin* at 2 100000 Livres.

But pray let me ask you, who inform'd you that these amounted to 100000 Livres, since as you confess, you have receiv'd no Memoirs nor Instructions from Madam *Mazarin*, but these Letters, which are not particular? 'Tis then by guess, that you make this Demand; and do you think the Judges will fine Monsieur *Mazarin* 100000 Livres upon this, and give a Judgment at random, as you have made your Demand?

'Tis further evident, that these Debts were invented at *Paris*, and that Madam *Mazarin* writes nothing in these Letters but by Instruction from hence, which I

shall make clearer, than the light, by two or three Circumstances.

The first is, that in the Letter of the eldest date of the three, which is of the 15 of *October* last, *Madam Mazarin* writes to *Madam Nevers* in these Terms ; *I send you the Certificate you desir'd* ; this Letter is not preceeded by any other, by which it appears, that *Madam Nevers* requir'd a Certificate of *Madam Mazarin*, and that She requir'd it before *Madam Mazarin* had said any thing to her of her Debts, or the difficulty of leaving *London* without paying 'em ; and by consequence 'tis plain, that these pretended Debts, and the Detention of *Madam Mazarin*, are of the growth of *Paris*, in which *Madam Mazarin* is not concern'd.

The stile it self of these Letters, which you say is so natural, is far from it ; and may serve as a farther proof, that they were written by Direction. When *Madam Mazarin* writes naturally, and from her Heart, She writes incomparably better ; but especially, if She were in the condition there pretended ; her Danger, and her Wants joyn'd to her natural Eloquence, wou'd have made her write  
in

in a Stile much more lively, and moving, than that of those Letters.

What probability is there, that She who writes from a Country, where She had been an Eye Witness of such great Revolutions, and where She must needs have had a particular Share in many singular Events ; of which She might believe Madam Nevers, who had so much kindness for her, wou'd be glad to be inform'd ; what probability, I say, is there that She shou'd take no notice at all of 'em, not so much as a single word concerning Monsieur *Mazarin*, or her Sentiments of him ? She speaks of nothing, but her Creditors, because She was order'd to speak of nothing else in these Letters devis'd on purpose, which were undoubtedly accompanied by others more Instruative ; but in these She talks so slightly, that the Man must be blind, that can't see that She is not in earnest.

You see therefore, GENTLEMEN, that there never was any Demand more rashly made, nor with less Foundation, than this of 100000 Livres.

Let us proceed to their other Demand, which requires Permission to live in a Convent.

You

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You know, GENTLEMEN, that this is not to be granted, but upon very weighty Considerations ; the Caprice of a Woman, or a diſguſt taken to her Husband, are not ſufficient Reaſons for breaking that Society, to which they are mutually oblig'd ; there ought to be ſuch hard Uſage, as may merit the Name of Cruelty, with which they are uſually qualified. Do they offer Proof of any ſuch thing ? No, they don't ſo much as alledge it.

All the reaſon they give, why Madam *Mazarin* can't return to her Husband's Houſe, is, that things are not at that paſs. What Language is this ? What do you mean by it ? What is there requiſite to bring things to ſuch a paſs, that a Wife may, and ought to return to her Husband, more than a valid Marriage, that the Husband be willing to receive her, and that has never treated her amiſs ? All this is to be found here.

Madam *Mazarin*, they ſay, is averſe to it ; this is all, that they have to oppoſe to it.

But firſt, who told you, that She was averſe to it ? Have you a Deputation from her to ſay it ? No ! You have not ſo much as Memoirs from her ; the Letters



ters themselves say nothing of it. 'Tis Monsieur, and Madam *Nevers*, who, not loving Monsieur *Mazarin* themselves, think that She ought not to be willing to live with him, and demand for her a Separation from her Husband of their own Heads.

On the contrary I maintain against you, that no Warrant or Memoirs from her appearing to support your Authority, which is all that we have for this Aversion, We ought to presume She has none, because we ought to believe, that every Person wishes, and acts according to his Duty, till the contrary be made to appear.

But tho' it were true, that Madam *Mazarin* had some reluctance to return to the Duke, is that a good reason why She shou'd be dispens'd with, and separated from him? If all the Married Couples, either of which had conceiv'd any disgust for the other, were to be parted, how many Divorces shou'd we see? Are there any Persons so exactly form'd for one another, so perfect, or so happy, as not to give one another reciprocal occasions of dissatisfaction in so strict a Society? Insensibility is none of the Conditions of this Life, and I question whether

ther it be lawful to desire it. We are not therefore to regard these Niceties, when there are no essential Reasons for Separation, especially from the Mouth of a Woman that has liv'd with her Husband six years in perfect Unity; that has had in that time four Children by him, the Pledges of their mutual Affection, and the living Proofs of her Inconstancy.

They object to *Monsieur Mazarin*, that he has three great Faults, ( they don't indeed say it just in this Place, but it has been scatter'd all thro' the Pleading of the opposite Party, ) He is Jealous; He is Devout, and scrupulous to Excess; He is Profuse, and squanders more in Alms, than others in their Debaucheries.

Let us see if any of these be foundation sufficient to ground *Madam Mazarin's* Demand upon.

First for his Jealousie, if it were real, it is obliging; and even when it becomes troublesome, it is excusable upon the score of the Principle from whence it springs; at least, while it proceeds not to Rage, and Violence.

But what signs of Jealousie do you discover in *Monsieur Mazarin*? You can't instance in any. How can you accuse him

him of that Weakness, who does not yet call your Virtue in question after so much matter of Suspicion as your imprudent Conduct has afforded him? Can you believe, that he was ever Jealous, whose good Opinion cou'd abide the severe Trials you have put it to, without Diminution?

As for his Devotion, 'tis a Fault too lovely to stand in need of our Defence; is that a ground for her Demand? If the Apostle does not allow a Wife, that is a Believer, to leave a Husband, that is not; How can we suffer Madam Mazarin to desert her Husband, because he is faithful and exact in the Duties of his Religion? Especially, GENTLEMEN, since, as Master Sachot has told you, he was so at the time of his Marriage. She Married him Devout, and I shall add, that She lov'd him such, why wou'd She not have him continue such? If we may apply to this Quality, which is the Perfection of a Christian, what has been said of the real Faults of Matters of Commerce, might we not with Justice oppose to Madam Mazarin, the common saying, *Prudens emisisti vitiosum, dicta tibi est Lex*?

But

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But perhaps Madam *Mazarin* will not find it ſo difficult to reconcile her ſelf to Monsieur *Mazarin*'s way of Living. The Seeds of Devotion are ſtronger in her, than She her ſelf ſuſpects. It wou'd be ſtrange, that a Lady, that ſprings from the ſame Blood, that has given to *England* that Mighty Queen, and to *France* that Virtuous\* Prin-

\* *The late Prin-* ceſs, whoſe Piety  
*ceſs of Conty.* will be rever'd in all  
Ages; ſhou'd have

no Spark in her of that holy Fire, with which they were ſo inflam'd; not one Ray of thoſe lively Beams of Faith, which ſhin'd ſo bright in them.

But you ſee, GENTLEMEN, by her Defence, that She is in fear for her Salvation; this Fear is the beginning of Wiſdom. She deſires to retire into any Nunnery, that you pleaſe to aſſign: 'Tis therefore probable, that She finds her ſelf now better dispos'd, than heretofore, to live after the manner that She ought, in ſuch Houſes. Why then will She not comply with that of Monsieur *Mazarin*? Nothing can reſemble the Regularity of a Convent, better than his Houſe. All the difference is, that in a Convent, She wou'd be out of the Rank  
where-

wherein Providence has plac'd her ; whereas with her Husband She wou'd be in her proper Station. And tho' She shou'd at first feel a little Reluctance, a short time wou'd reconcile her to a Yoak, that is all Sweetness to those, that have once submitted to it ; and it wou'd happen to her, as the Apostle says in the same Place, that the believing Husband shall sanctifie the unbelieving Wife.

Let us proceed to the pretended Diffusions.

How dare Madam *Mazarin* accuse Monsieur *Mazarin* of squandering ? She that tells you, that She cou'd not subsist singly, and without Equipage, upon a Pension of 20000 Crowns a year, which She constantly receiv'd from the King of *England* ; She that has carried away, and squander'd 100000 Crowns worth of Jewels, and rich Moveables, and still pretends her self to be in Debt : She in short that made it one of the ordinary Diversions of her Youth, to throw Baggs of Gold away by handfuls, out of the Windows of the Palace of *Mazarin*, for the Pleasure of setting the Mob together by the Ears ?

Has She not great Right to call my Client to account for his Management  
of

of their Estate, and House, after She has her self entirely abandon'd the care of 'em? If Monsieur *Mazarin* after her Example had quitted his House, and gone to live at *Venice*, or elsewhere, as She did at *London*, what had become of their Family, and Fortune? 'Tis ridiculous to bring in Madam *Mazarin* like the Master of the Family in the Gospel, requiring of his Servants upon his return from his Journey, an Account of the Talents he left with 'em to be improv'd. And tho' it were true, that some waste had been committed during her Absence, is not She as much, and more culpable for her Flight, than He for his Administration?

But in the next place, What is this Profusion, of which they accuse Monsieur *Mazarin*? He is, say they, extravagant in his Alms. Let us refer that to the Gospel, which says, *That to give Alms, is to heap up Treasure.*

Nor shall I stick to say, that the Cardinal's Estate was such, as requir'd a little, of what you call, Prodigality.

These overgrown Estates are like Bodies too full of Blood, that wou'd be suffocated with Health, if they were not reliev'd by seasonable Bleedings:

They

They are like Rivers, whose Waters will not be damm'd up, but purge by flowing and diffusing themselves; they wou'd become corrupt, or break their Banks, and be entirely lost, if they were too straitly penn'd up. Those that have the Management of such great Fortunes, ought to imitate the Prudence of Pilots, that throw part of their Goods into the Sea, to secure the rest. To dissipate after this manner, is not to destroy, but to improve.

*Thirdly*, What relation have these Facts of dissipation to our Cause? They wou'd be to the purpose in a Tryal for a Separation of Effects, but the question being only, whether Madam *Mazarin* ought to return to her Husband, tho' there were really such waste committed, is that any reason, that She shou'd be dispens'd with? On the contrary it ought to engage her the more to it, that She might be assistant to Monsieur *Mazarin* with her Care, and Advice, and endeavour in conjunction with him for the Preservation of their Estate.

But in short, the Fact is false, there has been no dissipation of the Cardinal's Goods by Monsieur *Mazarin*. On the  
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contrary he has clear'd 'em, and added to 'em at the expence of his own Patrimony.

Tho' these Matters be altogether Foreign, and that Monsieur *Mazarin* might very well wave taking any notice of 'em, without Prejudice to his Cause: Yet, GENTLEMEN, since he has been calumniated to You, 'tis his Interest to justify himself to You.

*First*, Has Monsieur *Mazarin* alienated any one of the Cardinal's Effects? I challenge you to declare, and desie you to name One: He hath had of him Lands, Governments, and Pensions from the Crown, all which are yet in his Possession, or his Children's, to whom he has given 'em upon their Marriage: Wherein then does this waste consist? Has he run you into Debt? No. Whence then this fear of Poverty for your self and Children in Possession of so great an Estate, without a Farthing of Encumbrance?

Let us follow this Enquiry: Monsieur *Mazarin* has indeed made use of 1200000 Livres of the Portion which he had oblig'd himself to lay out in the Purchase of an Estate, with a Title annext to it, to which he was to give the name of *Mazarin*. Has he acquitted himself according  
to



to his Obligation? To this end he bought the Dutchy of *Rethel*, not for 1200000 Livers, but 2200000 Livers. 'Tis true, that to make up this Summ, he borrow'd of the Duke of *Nevers* 400000 Livers, for which he pays Five *per Cent.* Interest; but there are 600000 Livers more, which come out of his own Pocket.

As for the Moveables, the Jewels, Statues, Pictures, they are all yet forth coming; those excepted, which Madam *Mazarin* carried away with her. My Client has not sold the worth of a Farthing. \*

'Tis true, he has not been so good a Husband of his own Patrimony; he has sold his Place of Great Master of the Artillery, and the Governments, which he had from Monsieur the Marshal de *Meilleray*, his Father. But, besides, that this concerns not Madam *Mazarin*, why has he sold 'em? To pay part of the Price of the Dutchy of *Rethel*, and to

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\* Here Monsieur Sachot interrupted Monsieur Herard, to tell him, that the Statues were broken; Monsieur Herard, made this Reply. A very seasonable Interruption! Did your Client run away, and does She still refuse to return for this? Is this your Excuse for her Flight.

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refund 1500000 Livers out of the ſeveral Benefices of Monſieur the Cardinal, which have been decreed againſt him.

Is it not ſtrange after all this, that they ſhou'd take the Liberty to publiſh to the World, and to ſay before you, GENTLEMEN, that Monſieur *Mazarin* ruins his Wife, and Children, and that he has ſquander'd five Millions? Will you know, GENTLEMEN, what theſe five Millions are? We'll lay 'em immediately upon the Table before you: They are five Millions in Bills of the Exchequer, and bad Debts, of which we have never receiv'd a Penny, and will afford a very good Pennyworth to any Purchaſer.

This, GENTLEMEN, is the Prodigal, the ill Husband, that ſells his own Eſtate, to clear and improve his Wife's. He gives Alms, but he does it out of his own Eſtate, out of what his Modesty, and Frugality retrenches from the uſual Superfluity, and Luxury of Perſons of his Quality.

You ſee, GENTLEMEN, that of all the Arguments that have been produc'd to ſupport the Demands of Madam *Mazarin*, that not one has the leaſt Foundation.

Let

Let 'em not pretend, that they have been too long asunder to be brought together of a sudden. For on the contrary, because they have been too long disjoyn'd, we can't reunite 'em too soon; that their Coalition may put an end to all ill Reports, and silence Slander, whose Mouth their Divorce has open'd. We ought to efface even the minutest track of this unhappy Division. Madam *Mazarin's* Retirement to a Convent, wou'd be but covering the Ashes, whence the Flame might break out afresh. They wou'd not fail, as you see, GENTLEMEN, they already threaten us, to advise her to renew her old Suit for a Separation of Effects, as unjust, and desperate as it is, in hopes to make it a means to hinder their Reunion; whereas by obliging her to return immediately to her Husband, you will raze the Memory of all past Differences, and prevent any that may hereafter arise.

Their last recourse is to the Number, Quality, and Worth of the Persons, that solícite for Madam *Mazarin*. I grant, that you have on your side the advantages of Nature, Fortune, Greatness, Credit, Favour, Graces, and even Eloquence it self; every thing is for you, except the

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the Law. Monsieur *Mazarin* has nothing for him but his juſt Right ſupported by my weak Voice, and the obliging Care of a Friend, that acts for him in his abſence; not from any proſpect of Intereſt, as you upon falſe Memoirs have ſuggeſted; but frankly upon a Principle of Friendſhip founded upon the Honour he has to be related to Monsieur *Mazarin*, and upon a grateful acknowledgment of thoſe Favours, and Marks of Eſteem, which he has for many years receiv'd from him.

But you are not therefore to inſult over our Weakneſs, and Solitude; We are no way apprehenſive of thoſe Foreign Advantages before Judges of ſuch approv'd Integrity, that they will undoubtedly weigh your Reaſons only, without counting the Suffrages, and Solicitations of your Friends.

I dare likewise boldly maintain, that, tho' all theſe illuſtrious Perſons out of their great Generoſity thought themſelves oblig'd to favour the abſent, and weakeſt Party; they can't poſſibly approve the Conduct of Madam *Mazarin*, nor wou'd in earneſt obſtruct her Reunion to Monsieur *Mazarin*.

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In short, GENTLEMEN, 'tis notorious that all Madam *Mazarin's* Relations turn'd against her after her Escape, and joyn'd with Monsieur *Mazarin* in the Prosecution of the Indictment; and that they all sign'd an Instrument, in which they desir'd Monsieur the Constable not to receive her, that She might be oblig'd to return to her Husband; This Madam *Mazarin* confesses likewise in her Memoirs, What has happen'd since, that shou'd turn the Minds of those very Relations, or their Children, so very contrary at this time?

'Tis true, that Madam the Dutches of *Nevers* was not then of the Family; but the prudent Conduct of that Lady leaves us no room to doubt of the Judgment, that in her Heart she makes of Madam *Mazarin*, tho' Family Reasons oblige her to appear here to support her Interests. Wou'd to Heaven, that Madam *Mazarin*, instead of begging her Assistance, wou'd improve by her Example; and imitate, I will not say all her Vertues, but some part only of her Regularity, Sweetness, and Complaisance to the Will of Monsieur her Husband; it wou'd be more than  
I 4 enough

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enough to reſtore Peace betwixt 'em, and to make *Monſieur Mazarin* compleatly happy.

I don't ſee, GENTLEMEN, that, in all that has been objected, there is any thing, that may ſtart to you the leaſt difficulty in doing *Monſieur Mazarin* the Juſtice he deſires. He expects it from you, as compleat, as he was about to have had it, as you have ſeen, from the Great Chamber, when they were obſtructed by the Flight of *Madam Mazarin*; and he has great Reason to expect as much from you, ſince the Conduct of the adverſe Party from that time has neither better'd her Cauſe, nor mend'd her Condition.

He does not fear, that in a Cauſe of ſuch importance, You ſhou'd, in the Judgment You give; take any Measures from the unjuſt Reluctance, which they, perhaps falſly, aſcribe to *Madam Mazarin*; We are not now to conſult, what the Inclinations of the Adverſe Party are, but to examine, and determine what is her Duty.

You have before You, GENTLEMEN, a Publick Concern, wherein you ought more to conſider the Intereſt of  
Disci-

Discipline, than that of either Party. You are now to decide not between the private Interests of Monsieur and Madam *Mazarin* only; but between the Morals of the Publick on one side, and the Inclinations of Madam *Mazarin*, on the other. 'Tis in your Breasts whether you will sacrifice the former to the vain Niceties of the latter, or rather to her Errors, and Caprices.

Your Sentence is expected by the Publick, as an Example, that shall be remembred to the Maintenance of Discipline, and the Rights of Marriage, or that shall slacken 'em, and Authorize Licentiousness; that shall break down the Barriers, and open a wide Field for Worldly, and Rash Women, or that shall keep 'em in their Duty.

Without doubt, GENTLEMEN, you will not suffer it to be said hereafter, that in the Reign under which we live, You introduc'd this pernicious Maxim, that the Devotion of a Husband, his Regularity, and Charity to the Poor, without Prodigality, were Reasons sufficient for a Wife to abandon him. 'Tis not possible, that while

we

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we behold Piety upon the Throne of  
our Kings, that it ſhould be ſo far  
affronted in one of the moſt Sacred,  
and moſt Auguſt of their Courts of  
Juſtice, where it has always hitherto  
found moſt aſſur'd Protection.

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AN



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A N  
EXTRACT  
OF THE  
DECREE.

*BETWEEN the Lord ARMAND CHARLES Duke of MAZARIN, MEILLERATE, and MAYENNE, Peer of FRANCE, Plaintiff, &c. and Defendant on the one Part; And the Lady HORTENSIA MANCINT Dutcheſs of MAZARIN His Spouſe, Defendant, and incidently Plaintiff, &c. on the other Part. After that HERARD for the Duke of MAZARIN, SACHOT for the Dutcheſs, and BENNET for the King's Proctor General have had ſix Hearings. THE COUNCIL, before they Determine upon the Request of the Duke of MAZARIN, Orders that the Dutcheſs of MAZARIN shall*

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*ſhall within Three Months retire into the Convent of the Nuns of St. MARY DE CHAILLOT, thence within Six Month to return to the Houſe of the Duke of MAZARIN: And before they Determine upon the Remainder of the Dutcheſs of MAZARIN'S Demand, It is Order'd, that within one Month, She lay before 'em an Account of her Debts, that, whether the ſaid Account be accorded, or conteſted by the Duke of MAZARIN, what is thereupon due, may be order'd by the COUNCIL.*

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*FINIS.*

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*F A C T Û M*

F O R

Madam the Dutcheſs of *Mazarin*,

A G A I N S T

Monſieur the Duke of *Mazarin*,  
Her HUSBAND.

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By Monſieur de St. *Evremont*.

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## THE PREFACE.

**I**T is not honest to pry into the Secrets of Families; much less to expose 'em publickly. But since Monsieur Mazarin has thought fit to open 'em to the Great Council, and Monsieur Herard his Advocate to put 'em into Print, 'tis not fair that the World shou'd hear, but one side; And the Answer to the Pleadings falling into my Hands, I thought my self bound to make the Publick Judge betwixt 'em: And I hope, that after a thorough Examination of the matter, Madam Mazarin will by common consent be found worthy of a better Fate, and another sort of Husband.

If

## The Preface.

If the Duke had proceeded no farther, than Coldness, Reservedness, or Rigour, the Dutcheß had quietly lamented her Misfortune in secret, in hopes at length by the constancy of her Sufferings, and the sweetness of her Compliance, to have won upon so extravagant a Temper. But when he came to that degree of excess, that took away all her Repose; and to such a rate of Profusion, as must absolutely ruine her Family, She had recourse to those Methods, that might preserve her Estate, and Liberty.

The Relations treated, the Directors engag'd, the King interpos'd his Authority, but Monsieur Mazarin persisted inflexible to all. Must a Wife be eternally enslav'd to the Caprices, Enthusiasms, and false Revelations of her Husband?

This is what Monsieur Herard has maintain'd with as many Injuries, as Calumnies. These few Passages

## The Preface.

*sages may serve to shew the violent Spirit of the Advocate.*

Matters are come to that pass in *England*, that 'tis no longer lawful for a Catholick, a *French* Man, nor scarce for an honest Man to stay in *London*. page 20.

If She had any Affection for their Persons, any Gratitude for their Bounties, or indeed but a bare Sense of Honour or Religion, She ought to have follow'd 'em. Cou'd She see, without horror, the Usurper of their Kingdoms, and the Enemy of our Faith, establish his Dominion upon the Wrack of their Legitimate Throne, and the ruine of the true Religion? p. 21.

But which way can the Names  
of the King, and Queen of *Eng-*  
K land,

## The Preface.

*land*, be made use of to excuse the Escape, and Absence of Madam *Mazarin*, after what I have had the Honour to observe to the Council at the last Hearing? While She lives in the same Tranquility at *London* since their departure, that She did in their peaceful Reign; while She pays the same Incense to the Prince of *Orange*, that She offer'd to them, with as much baseness and unworthiness, as it was Honour to her, to pay that Respect which She ow'd to them. p. 42, 43.

What Excuse has She now? Is the Prince of *Orange* her Kinsman? Are all these Gamesters, Libertines, Presbyterians, Episcopians, Quakers; In a word, are all this Rabble of all Religions, except the true one, which  
resort



## The Preface.

resort to her House, her Relations? p. 43.

Unless some splendid fit of Zeal makes her covetous of that glorious Palm; and gives her a holy Ambition of being sacrific'd by that barbarous Nation. p. 101.

*To cite all the Injurious things, that he says of Madam Mazarin, and the English Nation, the whole Pleading must be transcrib'd.*

*Monsieur Mazarin can't deny, but that he has given occasion for a lawful Separation. But he boasts, that he has forgot nothing that might procure a Reunion; and 'tis certain that he sent Articles to that purpose: The first of which, and which is the Hinge upon which all the rest turn, was this;*

*Nothing by Condition, all for Love.*

## The Preface.

In those Difficulties, that will undoubtedly arise, a right Understanding, as soon as may be.

To Copy the best Management of the Kingdom, and by that Model to form ours.

Never to give the Publick any account of our Domestick Affairs; much less to let the Curious into any of our Secrets, but to tell 'em in short, that we are very well reconcil'd.

*Monsieur Mazarin is not contented to have laid down Rules for the Conduct of Husband and Wife, but he must needs make Regulations thro' his whole Estate, without regard to the Authority of the Bishops, or Governours. He begins with Ecclesiastical Affairs, which in Reason ought to go before the Civil. These Articles being Printed, I shall mention 'em in gross only.*

## The Preface.

*He enjoyns* Good Order amongst the Fryars ; where, *as he says*, abundance of Abuses are crept in.

*He prescribes* to the Curates, their Duty in their Parochial Masses, especially in the Publication of Holy-days, and the Banns of Matrimony : Vespers are not forgotten : He touches lightly upon the Sermon.

*Proceeding to some Rules for Laymen*, He orders an Apothecary, or his Boy, that Administers a Clyster, to be decently habited ; and the Patient that receives it, to turn himself to him with all possible Modesty.

*He forbids Women* to milk Cows, or spin with a Wheel, because of a certain exercise of the Fingers, and motion of the Foot, which may give 'em loose Ideas.

*He requires* abundance of Purity of the Women, that keep Sheep,

## The Preface.

and more of the Men, that keep Goats.

*For the Herdsmen,* as well those that keep Bulls, as those that bring their Cows to 'em, must turn their Eyes from the Expedition, and pay according to a rate at which he has tax'd it.

*Having a vast Extent of Land in divers Provinces,* he takes his Progresses to see his Orders put in Execution; which being universally ill receiv'd, he purchases Obedience to 'em at an extravagant rate. His Train of his Fraternities, his Equipage of Zealots, errant, half Ecclesiasticks, half Seculars, wou'd make a very large Caravan in Asia. But this is not the least magnificent way of ruining himself, that he has found out; yet it may suffice to justify the Separation of *Madam Mazarin*. Let us hear her Advocate.

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AN  
ANSWER  
TO THE  
PLEADING  
OF  
*Monsieur Herard Advocate,*  
BEFORE THE  
**Great Council:**

OR, RATHER,

*To the Invective, or Libel, Printed  
by Monsieur the Duke of Mazarin,  
against Madam the Dutcheſs, his  
Wife.*

**T**IS a certain Truth, GENTLE-  
MEN, that Impudence is not ac-  
quir'd in an instant. 'Tis by degrees,  
that Men arrive at the assurance of tell-  
ing,

ing, and maintaining great Lies. Truth has no occasion for Instructions, or Exercise. It is born with us; and we must do Violence to Nature to shake off our Veracity. Judgethen, GENTLEMEN, how much Study, and Practice must have concurr'd to give Monsieur *Herard* the Perfection of his Talent. What Perversions of Truth, what Suppositions, what Forgeries of Fact are necessary to form the Capacity of so great a Man!

To say, that Monsieur *Nevers* accompanied his Sister to the end of the first Stage; which is false.

That Madam *Mazarin* carried off rich Moveables, and abundance of Plate, who never had abroad, either Goods, Plate, or Jewels, except one Necklace, which She usually wore in *France*.

That She resided in the Territories of the King of *Spain*, thro' which She only travell'd quietly as her way led her.

That She scandaliz'd all the Convents, where She has been; tho' we are Witnesses how much She was made of, and what Honours were paid her by Madam *de Chelles*, Madam *Dulis*, and all the Superiours of the Houses in which She liv'd.

That

That her Pension in *England* was given her in acknowledgment of a Debt due to the Cardinal; a Debt which the two Kings always laugh'd at as Chimerical, and Ridiculous.

To invent a hundred things of this Nature, to disguise, feign, and suppose, have been, as it were, the steps, by which Monsieur *Herard* has mounted to the height of his bold Elogy on Monsieur the Duke, and the Impudence of his Invective against Madam the Dutcheſs of *Mazarin*.

If all these Praises, all these Calumnies ben't the Creatures of your own Brain, tell us Monsieur *Herard*, who cou'd inform you of the Vertue of Monsieur *Mazarin*? Had you these fine Notions from the Court, from the Provinces, or from the Villages? Who has found out these ill Qualities in Madam *Mazarin*? Did your Information come from *Paris*, *Rome*, *Venice*, or *London*? I can give you better Lights concerning 'em both; and to hinder you from falling any more into Error, in Charity I will tell you, that Monsieur *Mazarin* makes himself contemptible every where, as well where he is not, as where he is; and that Madam

*Maza-*

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*Mazarin* is as generally eſteem'd, where-  
ever She is, or has been.

But in what Country are you? In what  
obſcure Hole do you ſpend your days,  
that you are ignorant how this Match  
with *Monſieur Mazarin* was brought  
about?

*Monſieur* the Cardinal, at the begin-  
ning of his Illneſs, was inquiſitive into  
the Merit of our Courtiers, in order to  
find one worthy of his lovely Niece, and  
fit to ſupport the Honour of his Name.  
As he had yet ſome remains of Vigour,  
he found no difficulty in reſiſting Virtue  
without Wealth; but his Infirmary en-  
creaſing daily, and his Judgment im-  
pairing with his Strength, he cou'd not  
withſtand the falſe report of the Riches  
of *Monſieur Mazarin*.

This, *Monſieur Herard*, this was that  
Noble and Glorious Choice of *Monſieur*  
the Cardinal; a choice, to ſpeak ſoberly  
of it, that almoſt ruin'd his Reputation,  
notwithſtanding all the Merit of his paſt  
Life. By it he loſt the Reſpect of the  
Court; the moſt cautious cou'd not for-  
bear their Railleries; and the Foreign  
Ministers wrote to their Maſters, that  
they ought not any longer to make any  
account



account of his Eminency, since the ridiculous Match he had made.

What Aversion soever you may have for Truth, for once do your self the violence to hear, what I have to say of Monsieur *Mazarin*. You can't have a greater Repugnance to Truth, than I have to Lies. Yet I have been forc'd to hear all you have said of Madam *Mazarin*, with as much Villany, as Impudence. Upon the Death of Monsieur the Cardinal, the Courtiers, who did not yet understand the Niceness of the King's taste, were afraid, that Monsieur *Mazarin* shou'd inherit as well the Favour, as the Estate, and Name of his Eminence. Monsieur *de Turenne* was heard to say, that if he shou'd see such an Indignity, he cou'd leave *France* with the same ease, that he had heretofore done, when he went into the Service of Monsieur the Prince.

The Marshal *de Villeroy*, who, having been his Majesties Governour, ought to have been better acquainted with his Sagacity, was not without his Apprehensions.

The Marshal *de Clerambaut*, who had signaliz'd himself in ridiculing this Match, was allarm'd at it ; but Monsieur *Mazarin*,

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*rin*, more in their Interests, than his own, staid only long enough at Court to decry himself, and to give the King that judicious contempt of his Person, which he has retain'd for him ever since.

Nevertheless, they were not yet absolutely rid of their Fears. They were afraid that the Marshal *de Meilleraye*, who in his time had always held the first Post in War, shou'd by his Example rouse the Ambition of his Son, to make himself more considerable.

Monsieur *Mazarin* was too honest a Man to suffer the World to continue in an Errour. He bid farewell to War, as he had done to the Court ; and you will grant me, GENTLEMEN, that 'twas none of the unwiseſt Actions of his Life.

He had yet but too much left to make him considerable. His Places, Governments, and Riches, in which he outdid all the Subjects of *Europe*, procur'd him Respect enough ; but like a Philosopher, he shook off all these things, as superfluous ; or, like a Christian, as dangerous to his Soul. However it were, he left himself nothing of that vast hoard so precious in the Opinion of Men.

of Mazarin's Case. 141

Of a thousand Rarities which the Wealth, and Curiosity of the Cardinal had brought together, of an infinite number of Pictures, Statues, and Tapestries, all was either Sold, or disfigur'd; of all his Places he did not keep one; of all his Governments, he kept only that of *Alsace*, where he knew he shou'd not be suffer'd to command.

In short, GENTLEMEN, I am asham'd to Name the poor Remains of \*Twenty Millions, that \* 1625000*l.* Madam *Mazarin* brought Sterling. him; and the only reason, that he gives, is, that he can't in Conscience keep ill gotten Wealth. It was not ill gotten, GENTLEMEN, it was not; the defence of the Crown against so many Forces within, and so great a Power without, was the Purchase of 'em, which the Bounty, and Justice of the King have confirm'd; but these Advantages have been as ill bequeath'd as they have been kept. The Memory of the Cardinal is responsible for the foolish choice he made of Monsieur *Mazarin*; and Monsieur *Mazarin* for the ill use of that vast Wealth.

Let us spare Madam *Mazarin* the Vexation of hearing a long descant upon the  
Con-

Confusion of her Fortune: Let us spare Monsieur *Mazarin* the shameful remembrance of the manner of his confounding it.

'Tis a hard case for Madam *Mazarin* to have her Wealth confounded; a harder to bear continually the sight of the Confounder of it. These were the Entertainments of Madam *Mazarin's* unhappy Journies; She expected the succour of the Night, which relieves the most unhappy from the Sense of their Miseries; but this Comfort was denied her. No sooner were her fair Eyes clos'd, but Monsieur *Mazarin* (who had the Devil always present in his black Imagination) this amiable Husband wakes his best Beloved, to make her Partaker—— You would never guess of what, GENTLEMEN, to make her Partaker of his Midnight Visions.

Flambeau's are lighted, and search is made; but no Spectre does Madam *Mazarin* find, but that which lay by her in the Bed. His Majesty was more obligingly treated; He was made the Confident of his Revelations, those Divine Lights, which Monsieur *Mazarin's* usual Commerce with Heaven afforded him.

The World has been fully inform'd of his Revelations ; and since Monsieur the Advocate has set such a value upon that Devotion, which has procur'd him this Grace, I beg your Patience, GENTLEMEN, to hear some of the Effects of it ; they are singular, and worth your Attention.

During the time that Monsieur *Mazarin* courted Mademoiselle *Hortensia*, he gave a Note for 50000 Crowns to Monsieur *de Frejus*, upon Condition, that he shou'd promote the Match, which with Reason he sollicit'd so hotly. The Match was made, and Monsieur *de Frejus* had a great hand in it. But it being neither easie, nor honourable for a Bishop to exact the Payment of such a Note, he return'd it to Monsieur *Mazarin*, trusting rather to his Word, than his Note. Some time after this piece of Generosity, the Bishop had occasion for Money to settle his Nephews, and demanded it of Monsieur *Mazarin* ; who, doing violence to his good Nature, refus'd to pay it ; being inform'd by his Director, that 'twas a more criminal Simony in him to purchase the Sacrament of Marriage, than in a Bishop to purchase his Bishoprick.

See,

See, GENTLEMEN, the nice tender Conscience of Monsieur *Mazarin*; Monsieur *de Frejus*, like a Bishop as he was, wou'd have taken the Money, and never bogled at the Simony; Monsieur *Mazarin*, a meer Layman, makes a scruple of paying it, and religiously pays it not.

This is an Example, that will confirm your Opinion of his Piety.

Monsieur *Mazarin* had a Suit of great Importance, an Agreement very much to his Advantage was offer'd him; He answer'd those, that propos'd it to him, That our Saviour came not to bring Peace into the World; that Controversies, Disputes, and Processes were of Divine Right, but Accommodations of Humane Invention: That God had appointed Judges, but never thought of Arbitrators; and that therefore he was resolv'd to be in Law all his Life, and never come to a Reference: A Promise that he has hitherto kept like a Christian, and will ever.

Modesty forbids me, GENTLEMEN, to open to you the occasion of his Journey into *Dauphiny* to consult Monsieur *de Grenoble*: I will only tell you, that a Case of Conscience so extraordinary, a  
scruple

scruple so nice, so delicate, was never heard before.

But the most signal Act of Monsieur *Mazarin's* Devotion, was this: He caus'd one of *Madam de Richelieu's* Children to be brought up, with expresse Prohibition to the Nurse from suckling it on *Fridays* and *Saturdays*; that instead of Milk they might suck in the holy use of Fasting and Mortification.

This is the Devotion of Monsieur *Mazarin*, of which his Advocate has the Confidence to give so great a Character; a Devotion, that serves to confirm our Refugees in their Belief; tho' the Catholics, as well as they, laugh at so ridiculous a Piety; and you, GENTLEMEN, whose Piety is so solid; disapprove no less than the Protestants themselves.

The greatest Misfortune, that can befall a Man, is to be depriv'd of so much Sense, as is necessary to Humane Society. The next, to be oblig'd to live with those, that are. These two Calamities are to be found in Extremity in the unhappy Marriage of Monsieur and *Madam Mazarin*.

Nature has set Monsieur *Mazarin* at such a distance from Reason, that 'tis  
E almost

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almost impossible they ſhou'd ever come together : The only excuſe that his Friends, if he has any, can make for his Conduct.

Madam *Mazarin* has by her ill Fortune been compell'd to live with Monſieur *Mazarin*. Joyning the Living to the Dead was not a 'greater cruelty, than linking Prudence to its Reverſe ; yet this Torment was Madam *Mazarin* for five years forc'd to endure : Beſieg'd all day, alarm'd all night, fatigu'd with Journey upon Journey, to no purpoſe ; ſubject to extravagant and tyrannical Orders, ſeeing none but Spies, or Enemies ; and which is the worſt of all Conditions, unhappy without Conſolation.

Any other Woman wou'd have defended her ſelf from Oppreſſion, by an open Reſiſtance ; Madam *Mazarin* ſought only to eſcape from her Miſfortunes, and to find in the Place of her Birth, among her Relations, that Security, and Repoſe, which She had loſt.

While She was at *Rome*, She was honour'd by all that were Illuſtrious, and Great there. Upon her return to *France*, She obtain'd of the King a Penſion for her Subſiſtance, and an Officer and Guards for her Convoy out of the King-



Kingdom, where She neither cou'd, nor wou'd stay.

After so long fluctuation, She fix'd her retreat at *Chambery*, where She pass'd three years undisturb'd in Study and Reflection; at the end of which She came by the Permission of his Majesty, into *England*. All the World knows the regard that King *Charles*, and King *James* had for her: All the World knows the Favours that She receiv'd from 'em; Favours bestow'd only on her Person, without relation to Monsieur the Cardinal's Demand. 'Tis therefore to the meer Bounty of their Majesties, that She owes her Subsistence. For her Husband, as just, and charitable, as he is devout, had procur'd the Pension to be taken away, which the King of *France* gave her.

This is a doing little like a Christian, Monsieur *Mazarin*, tho' you talk of nothing but the Gospel. True Christians render good for evil; you leave a Wife to starve, that brought you a greater Fortune, than all the Queens of *Europe* together, brought to the Kings their Husbands.

True Christians pardon the Injuries they receive; you can't forgive those, that you do.

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One Persecution draws on another ; your ill Humour grows fierce, and your blood's warm in Mischief ; and the more you persecute, the more you inflame the Persecution.

Is it not enough to rob Madam *Mazarin* of all, while you Live? Must you needs take pains to make her miserable, after your Death? Must you needs be solicitous to provide, that her Misfortunes may be endless, and continue when you shall no longer be in a capacity to take Pleasure in 'em?

Don't think, that it suffices, that your Advocate's Mouth is perpetually full of *The August and Venerable Name of Husband, the Sacred Bands of Marriage, of Civil Society*: We have for us Monsieur *Mazarin* against the Husband: We have his vile Qualities against these fine, magnificent Expressions. Our first Engagements are to Reason, Justice, and Humanity, and the Quality of a Husband can't dispense with so natural an Obligation. When a Husband becomes extravagant, unjust, or inhumane, he turns Tyrant, he breaks the Society, which he contracted for with his Wife. The right of Separation is already made, the Judges make it not, they only publish

lish its validity by a solemn Declaration. Now that Monsieur *Mazarin* is plentifully provided of all those Qualities, that make such a Divorce, no one can doubt.

His Humour, his Proceedings, his Conduct, all his Actions prove it. The difficulty will be to find one that does not, and Monsieur *Herard* has a fine Task to seek what is not to be found. He'll tell us, that Monsieur *Mazarin* is devout; I own it, but his Devotion is such as scandalizes all good Men. He'll say, that he fasts, and mortifies himself; 'tis true, but the Pain, that he puts others to, affords him more Pleasure, than his Austerities give him Pain. To refrain from Mischief, to abstain from doing Evil, were an abstinence agreeable to God, and useful to Men. But the Mortification would be too great for Monsieur *Mazarin*, and without an extraordinary Grace from Heaven, he will never put it in Practice.

From his Religion Monsieur *Herard* will perhaps descend to his Morals, and tell us of his Liberality; to which we shall oppose his Avarice in all honest things, and his Prodigality in things that are not so. To speak properly, he gives

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nothing, but he throws away all: He takes from his Wife and Children, what he lavishes upon Strangers.

Virtues change their Nature in his hands, and become more criminal, than Vices.

Wou'd to God, GENTLEMEN, we had occasion for false Vices, as Monsieur *Herard* has had for sham Virtues: To our Misfortune we have but too many real ill Qualities to alledge.

Vexatious Suits with his Neighbours, irreconcilable Quarrels with his Friends, tyrannical Treatment of his Children, and perpetual Persecution of his Wife, are the sad and incontestable Proofs of our Allegations.

As for Monsieur *Herard*, after having rejected all Truth, as low, gross, and unbecoming the delicacy of his Wit, after having exhausted his copious Imagination, in inventing, feigning, and giving false Colours of Virtues to Vices, and of Vices to Virtues, baulk'd of the Success of his Artifices, he has recourse to Laws extinct, whose Authority he wou'd revive. He flies to the old, ridiculous Novel of *Justinian*, a pretty Refuge for so famous an Advocate.

*Reverend*

Let

Let us see this terrible Law, GENTLEMEN, so redoutable to Humane Society ; this Novel, that takes from honest Folks the sweetest Consolation of Life, by punishing a reasonable, and innocent Conversation.

*If a Woman eats with Men without the Permission of her Husband, She loses her Rights ; She can claim no benefit of her Marriage Articles.*

Happily for us this Novel is not in force at this time. If this good Law had held its Credit, every Wife in the Low Countries, France, and England, had forfeited her Jointure.

I wonder that Monsieur Herard, to shew his Skill in Antiquity, did not lead you from the time of *Justinian*, to that of *Romulus*, when Husbands, and Fathers us'd always upon their first coming home, to kiss their Wives, and Daughters, to discover whether they had drank Wine, or not ; and if they had, they punish'd 'em for those Faults, which Wine might occasion, altho' the Faults were not really committed.

I confess, that the Laws give a very great Power to Husbands, but then there were no *Mazarins*, when they were made ; if there had, the whole Autho-

erty had been lodg'd in the Woman. Reason taught the Antients to make just Laws, or such at least as were necessary for the Government of their Age: But you, GENTLEMEN, are not to be concluded by 'em against the Rights of your own; you have still the Liberty of judging Soveraignly of your own Interests by your own Lights.

Husbands wou'd be too happy, if Monsieur *Herard's* Enthusiasm might prevail: Wives too unhappy, if it had any Influence over your Judgments.

To be a Husband, wou'd be sufficient to excuse all Faults, justifie all Crimes, and commend all Defects.

To be a Wife, enough to suffer Innocent, to be despis'd for Merit, and decry'd for Virtue.

Let Monsieur *Mazarin* spoil, waste, and ruine all, he is Master; He's the Husband: Let Madam *Mazarin* be left to Necessity, abandon'd to Misery, and the Tyranny of her Creditors: What Right has She to complain of Monsieur *Mazarin*? Says his Advocate, She's his Wife.

A Custom of the *Greeks*, a Law of the *Romans*, or some Novel of *Justinian*, are matter sufficient for a Declamation.

Madam

Madam *Mazarin* eats with Men without leave from Monsieur *Mazarin*, She loses her Dower, and Matrimonial Rights. She loses all that She can pretend to.

Moderate your self Monsieur *Herard*, cool a little. Otherwise I shall bestow that Character upon you, that *Salust* does on *Cataline*,

*Eloquentia satis ; Sapientia parum.*

Eloquence enough, very little Sense.

Let us come to the wonderful Revolution, which we can't think on without astonishment. Here it was, says Monsieur *Herard*, that She ought to have left *England*, and thereupon he aggravates the Shame of her staying behind the Queen, to whom She had the Honour to belong.

No doubt but Madam *de Bouillon*, and Madam *Mazarin* would have waited on the Queen with Pleasure ; but the Secret of leaving her Kingdom was of such Importance, that it was not imparted to any one ; so that the Ladies were left of Necessity in a Storm, which nothing  
but

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but the Preſence of the new Prince cou'd allay.

Since that time, it has been impoſſible for Madam *Mazarin* to leave a Country, where She has been in a manner block'd up by her Creditors; or rather by Monsieur *Mazarin*, who has forc'd her to contract inevitable Debts, which he will not pay.

He demands with the Authority of a Husband ſo dear to his Advocate, that She return to *Paris*, while he neceſſitates her Abſence, and complains of the Separation, which he cauſes. He pretends to deſire her Perſon, but in Reality he covets only the Eſtate, that he may compleat the Confuſion of it.

The Parliament of *England* wou'd have ſent away Madam *Mazarin*, I confeſs, but She had no occaſion to aſk the Protection of the preſent King, his Juſtice prevented her Requeſt.

But tell me, Monsieur Advocate, who ſet you on to declaim ſo furiously againſt the King? You call him the Deſtroyer of our Faith without Reaſon. But for his Humanity, Goodneſs, and Protection, not a Catholick had been left in *England*. You thought to make your Court by it to the King of *France*, and are miſtaken.



staken. A Prince, that has so true a taste of Glory, a Prince so clear-sighted, distinguishes great Merit, wherever he finds it. His Judgment, and his Affections don't act always in concert; His Generosity to his unfortunate Friend does not hinder him from being just to the Virtues of his Enemy.

To return to Madam *Mazarin*, it remains only that I justify her against three Charges, which will give me very little trouble.

The first is, That She keeps a Bank; the second, That She sees Episcopal Protestants, and Presbyterians; the third, That She converses with *Milords*.

Hear, GENTLEMEN, hear your Orator Thunder. Never did *Demo- sthenes* of Greece flash his Wild-fire against *Philip*, at the rate that *Herard* of France does his against Madam *Mazarin*.

Madam *Mazarin* keeps a Bank, what a Disorder is this! a Bassett Table in her House, what a Shame!

She sees Church of *England* Men, and Presbyterians; O Impiety in a Catho- lick! the Wife of Monsieur *Mazarin* de- voted absolutely to Congregations, and  
Fraterni-

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Fraternities, speaks to *Milords*; O Depravation of Manners!

*O Tempora, O Mores!*

Cool this heat of Eloquence, Monsieur Orator, and bring your self into Temper. Great Genius's are apt to fly out; Give a little Attention, afford your self leisure to consider things a little.

Do you think, that three Great Queens, Devout and Virtuous, as any ever were; Queen *Katherine*, Queen *Mary* now in *France*, the present Queen of *England*, and the Princess her Sister, who is so regular; Do you think, they wou'd have had publick Bassett Tables, if Bassett was not an honest Diversion, an innocent Game.

The Accusation of seeing Church of *England* Men, and Presbyterians is ridiculous. To reproach Madam *Maxarin* for seeing Protestants at *London*, is altogether as just as to upbraid Protestants with seeing Catholicks at *Rome*.

But if it be a Crime to see Protestants in *England*, sure 'tis much more so to espouse 'em. Yet a Daughter of *France*, an Infanta of *Portugal* made no difficulty of it. Their Chamberlains, their Ladies  
of

of Honour were Protestants. The Principal Officers to Queen *Mary* were such; then how cou'd Madam *Mazarin* go to Court without seeing 'em? The Queen's Eyes cou'd bear the sight; why shou'd it offend Madam *Mazarin's*?

But if ever any Persons signaliz'd their Zeal for the Catholick Religion, 'twas King *James*, and Queen *Mary*; yet they made no scruple of being crown'd at *Westminster*; of Praying with the Bishops, and Receiving the Crown from the Hands of the Archbishop of *Canterbury*.

Society has indispensable Laws, Laws equally Enemies to Impiety, and difficult Scruples.

We are come now to the *Milords*, which Monsieur *Herard* is as Great a Stranger to, as the *Bassa's*, and *Mandarins*. I'll inform him then, that these *Milords* are the Peers of the Realm of *England*, the most considerable Subjects of the Nation.

Madam *Mazarin* will confess, that She knows a great many, whom She esteems as much for their Merit, as She respects 'em for their Rank, and Quality; She will own, that She has receiv'd great Services from 'em in difficult Times,  
that

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that they have given her great Assistance  
in her Necessities ; after this Confession,  
methinks I hear Monsieur *Herard* ex-  
claim,

O ! Depravation of Manners !

*O Tempora, O Mores !*

But he must give me leave to answer  
with more Reason.

*O Stultitiam inauditam !*

O unheard of Impertinence !

Well ! GENTLEMEN, Let Monsieur  
*Mazarin* have leave to dishonour the Name  
he bears thro' all the Villages ; let him  
settle the great point of keeping Sheep  
decently ; let him tax the leaps of Bulls.

He shall give Rules to Apothecaries  
Boys for the decent Administration of  
Clysters ; and prohibit Women from  
Milking Cows, and Spinning at the  
Wheel.

And shall not Monsieur Orator suffer  
Madam *Mazarin* to support the Dignity  
of her Name in all Courts and Nations  
where She comes.

You

You are Eloquent, Monsieur *Herard*, you talk well: But fine things without Reason, make no Impression upon sound Judgments: Madam *Mazarin* shall return to her Husband to be admitted into the Society of Shepherds, Herdsmen, Apothecaries Boys, Milk Women, and Spinners at the Wheel. This is what all your fine Words will never perswade Men of Sense to. If you harangued to ignorant People, you might dazle, if not move 'em; but to your Misfortune, you have to do with Judges of Sagacity, Wise Men, provided against your false Lights, and all your vain Exaggerations.

I wish, GENTLEMEN, that Monsieur, and Madam *Mazarin* could appear before you together at a Hearing, you would read their Separation in their Faces. Every Line in Monsieur *Mazarin's* would confirm it.

Heaven has already made the Separation by the contrariety of their Humors, the opposition of their Tempers; by their good and bad Inclinations; by the Greatness of one's Soul, and the Meanness of t'others.

Nature has separated 'em as well as Heaven, by a Beauty that Charms all Eyes, and an Aspect that Offends all.

Some

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Some unluckey Star knit this Knot;  
which Reason has instructed Madam *Mazarin* to untye.

Thus, GENTLEMEN, you have before you, the Cause of Heaven, of Nature, and of Reason: 'Tis hop'd your Wisdom will give the finishing stroke to this great Work; that it will confirm this Separation for ever; and, taking out of his Hands the Administration of the Estate, secure to the Children the poor Remainders of that prodigious Wealth, which he has confounded.

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F I N I S.